



MESSAGES OF THE PRESIDENT
FERDINAND E. MARCOS
1965-1986

BOOK 10 | VOLUME 5
Administrative Orders Part 1



President Ferdinand E. Marcos, Tenth President of the Philippines, Sixth and Last President of the Third Republic and First President of the Fourth Republic.



MESSAGES OF THE PRESIDENT
FERDINAND E. MARCOS
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Messages of the President Book 10: Ferdinand E. Marcos

Volume 5 Part 1

Presidential Communications Development and Strategic Planning Office

<http://www.gov.ph>

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Volume 5 Part 1

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Week/Month in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fifth volume of President Ferdinand E. Marcos' official papers, which constitutes the 10th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Marcos' Administrative Orders, which relate to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department.

BOOK 10

PRESIDENT FERDINAND E. MARCOS

President Ferdinand E. Marcos was the tenth President of the Philippines and was the sixth and the last President of the Third Republic of the Philippines. He assumed office on December 30, 1965. He was re-elected in 1969 becoming the first President to serve a second term. President Ferdinand E. Marcos was barred from running for a third term as president in 1973 so on September 23, 1972, by virtue of a presidential Proclamation No. 1081 which was signed on September 21, 1972, he declared Martial Law citing the threats of the Communists and Muslim insurgencies as justification which had come into force and would extend his rule beyond the constitutional two-term limit. After the lifting of Martial Law, on June 16, 1981, the First Presidential Elections of the Fourth Republic was held. President Ferdinand E. Marcos ran and won over the other candidates. On November 3, 1985, he announced that a presidential snap election would take place the following year due to escalating discontent from the public and pressure from foreign allies. The snap election was legalized with the passage of Batas Pambansa Blg. 883. The election was held on February 7, 1986. The Commission on Election (COMELEC) declared President Ferdinand E. Marcos as the winner, on the other hand, the National Movement for Free Elections (NAMFREL) declared Corazon C. Aquino. The failed election process resulted to the People Power Movement. President Ferdinand E. Marcos was President until February 25, 1986, Corazon C. Aquino was inaugurated as the President of the Philippines at Club Filipino, and afterwards, President Ferdinand E. Marcos held his inauguration at the Malacañan Palace. After the inauguration, the Marcos Family hurriedly fled the palace.

The Executive Issuances of President Ferdinand E. Marcos began with Administrative Order No. 1, signed on December 30, 1965 and ended with Executive Order No. 1093 that was signed on February 22, 1986.

President Ferdinand E. Marcos' documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; Presidential Speeches Volume Nos. 1 to 10; Encounter with Destiny; and the Dictatorship and Revolution: Roots of People's Power.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

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President Ferdinand E. Marcos during the opening the Land Reform briefing room and exhibits at the APC Building, Diliman, Quezon City.



MESSAGES OF THE PRESIDENT

FERDINAND E. MARCOS

1965-1986

BOOK 10 | VOLUME 5

Administrative Orders Part 1



President Ferdinand E. Marcos is shown at the helm of the *USS Enterprise*, a nuclear-powered aircraft carrier, at the U.S. Naval Base in Subic Bay, Zambales, March 11, 1966.

ADMINISTRATIVE ORDERS

An Administrative Order relates to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department. The Administrative Orders of President Ferdinand E. Marcos began on December 30, 1965 with Administrative Order No. 1 and ended on February 1, 1986 with Administrative Order No. 504.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 1
PROHIBITING PUBLIC OFFICERS AND EMPLOYEES FROM ENTERING INTO CERTAIN
KINDS OF OFFICIAL TRANSACTIONS WITH REAL OR IMAGINARY RELATIVES
OF THE PRESIDENT.

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby prohibit all officers and employees of the Government holding positions of trust and responsibility from dealing directly or indirectly with any of my relatives or those of Mrs. Imelda R. Marcos, whether by consanguinity or by affinity, and whether real or imaginary, in matters relating to contracts where the Government or any of its subdivisions, branches, agencies or instrumentalities is a party, or to the procurement or purchase of property, supplies and materials, appointment of government personnel, recommendations for positions, or any other matter calling for action or decision.

Any officer or employee of the Government, including those of corporations owned or controlled by the same, violating this Order shall be dealt with accordingly.

Done in the City of Manila, this 30th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(SGD.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 2
ABOLISHING THE MUSLIM PILGRIMAGE COMMITTEE CREATED UNDER
ADMINISTRATIVE ORDER NO. 88 DATED FEBRUARY 5, 1964, AS AMENDED.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby revoke Administrative Order No. 88 dated February 5, 1964, as amended, and abolish the Muslim Pilgrimage Committee created thereunder.

The functions heretofore performed by said Committee are hereby transferred to the Commissioner on National Integration, who may call on any department, bureau, office, agency or instrumentality of the government for such assistance as he may need in the discharge of his duties.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(SGD.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 3

**ORDERING THE RECALL AND RETURN OF ALL APPOINTMENTS PENDING ACTION
BY THE CIVIL SERVICE COMMISSION, THE WAGE AND POSITION CLASSIFICATION
OFFICE (WAPCO), AND THE BUDGET COMMISSION.**

WHEREAS, numerous appointments were hurriedly made or issued by the outgoing Administration which are now pending action by the Civil Service Commission, the Wage and Position Classification Office (WAPCO) and the Budget Commission; and

WHEREAS, the present Administration deems it necessary in the public interest to review and study further said appointments, particularly in the light of its administrative program and the present precarious fiscal position of the Government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the authority vested in me by law, do hereby order that no further action should be taken or made on all appointment papers pending with the aforesaid offices, which are hereby recalled and ordered returned to the respective departments, bureaus, offices or agencies where they originated, except those pertaining to purely provincial or municipal offices.

Done in the City of Manila, this 6th day of January, in the year of Our Lord, nineteen hundred and sixty-six.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(SGD.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 4

RECONSTITUTING THE PHILIPPINE PANEL TO THE RP-US JOINT VETERANS
COMMISSION CHARGED WITH THE SETTLEMENT OF THE VETERANS CLAIMS OF THE
REPUBLIC OF THE PHILIPPINES AGAINST THE UNITED STATES.

WHEREAS, Administrative Order No. 125 dated May 12, 1965, created the Philippine Panel to the RP-US Joint Veterans Commission charged with the settlement of the veterans claims of the Philippines against the United States;

WHEREAS, some members of said Panel were designated as such by virtue of the positions they were then occupying in the Philippine Government, which positions they no longer hold; and

WHEREAS, it is deemed necessary that the Philippine Panel be reconstituted to enable it to negotiate as soon as practicable with its United States Counterpart concerning these claims arising from World War II;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby reconstitute the Philippine Panel to be composed of:

General Eulogio Balao	Chairman
Ambassador Eduardo Quintero	Vice-Chairman
Undersecretary of Defense for Munitions Manuel Syquio	Member
Congressman Simeon Valdez	Member
Colonel Lorenzo Camins	Member
PVA Deputy Administrator Juan Gaccad	Member
Speaker Cornelio T. Villareal	Adviser

The Philippine Panel shall be guided by the findings and recommendations of the Cabinet Veterans Affairs Committee in the conduct of its preparatory work and the actual discussions with the United States Panel. For this purpose, it may avail itself of the advice of Colonel Jesus Villamor as Consultant. The Panel is likewise authorized to engage the services of such technical assistants or persons as may be needed for the successful negotiation of the claims of the Philippines.

Done in the City of Manila, this 21st day of February, in the year of Our Lord, nineteen hundred sixty-six.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(SGD.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 5

AMENDING ADMINISTRATIVE ORDER NO. 4 DATED FEBRUARY 21, 1966, ENTITLED
“RECONSTITUTING THE PHILIPPINE PANEL TO THE RP-US JOINT VETERANS
COMMISSION CHARGED WITH THE SETTLEMENT OF THE VETERANS CLAIMS OF THE
REPUBLIC OF THE PHILIPPINES AGAINST THE UNITED STATES.

The membership of the Philippine Panel to the RP-US Joint Veterans Commission created under Administrative Order No. 125 dated May 12, 1965, as reconstituted under Administrative Order No. 4 dated February 21, 1966, is hereby amended to read as follows:

“General Eulogio Balao	-----	Chairman
Ambassador Eduardo Quintero	-----	Vice-Chairman
Undersecretary of Defense for Munitions Manuel Syquiao	-----	Member
Congressman Simeon Valdez	-----	Member
Colonel Lorenzo Camins	-----	Member
PVA Deputy Administrator Juan Gaccad	-----	Member
Minister Cesar Lanuza	-----	Member
Speaker Cornelio T. Villareal	-----	Adviser”

Done in the City of Manila, this 24th day of March, in the year of Our Lord, nineteen hundred sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 6
AUTHORIZING THE AMALGAMATED INSURANCE CORPORATION TO BECOME
A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND
UNDERTAKINGS.

WHEREAS, Section I of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial shall, approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Republic of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings; and

WHEREAS, the AMALGAMATED INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Amalgamated Insurance Corporation to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further that the moment Amalgamated Insurance Corporation becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds the same having become due and demandable the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 28th day of March, in the year of Our Lord, nineteen hundred sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 7
CREATING A COMMITTEE TO INVESTIGATE ALLEGED IRREGULARITIES IN THE ENTRY
AND RELEASE OF AIR-CONDITIONING UNITS OF G. E. ANTONINO, INC.

A committee is hereby created to investigate alleged irregularities in the entry and release of air-conditioning units of G. E. Antonino, Inc., composed of the following:

Hon. Ricardo Paras	-----	Chairman
Hon. Gaudencio C. Garcia	-----	Member
Prof. Enrique M. Fernando	-----	Member

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating body under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall submit its report and recommendation to the President of the Philippines as soon as possible.

Done in the City of Manila, this 21st day of April, in the year of Our Lord, nineteen hundred sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 8
CREATING A COMMITTEE TO STUDY AND RECOMMEND SOLUTIONS TO THE SQUATTER
PROBLEM.

WHEREAS, the squatter problem, especially in urban areas, is assuming serious proportions; and
WHEREAS, prompt action is necessary to curb this social malady and to instill a deeper respect
for rights of public dominion and for private rights;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the
powers vested in me by law, do hereby create a committee to undertake studies and formulate solutions
to the nation-wide squatter problem, composed of the following:

The Presidential Assistant on Housing.....	Chairman
The Undersecretary of Justice or his representative	Member
The Chairman, People's Homesite and Housing Corporation, or his representative	Member
The Social Welfare Administrator or his representative	Member
The Director of Lands or his representative.....	Member
The Presidential Assistant on Community Development or his representative	Member

The committee shall submit a list of squatter areas all over the country, locate suitable resettlement
areas, coordinate government activities for the resettlement of squatters and adopt or recommend
measures to curb or minimize squatting.

The committee is hereby empowered to call upon any department, bureau, office, agency or
instrumentality of the government for such assistance as it may need in the discharge of its functions.

Done in the City of Manila, this 27th day of April, in the year of Our Lord, nineteen hundred
sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila:
Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 9
CREATING A COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE CHARGES AGAINST
DR. RODOLFO T. CAÑOS, UNDERSECRETARY FOR SPECIAL HEALTH SERVICES.

A Committee is hereby created to investigate the administrative charges against Dr. Rodolfo T. Caños, Undersecretary for Special Health Services, composed of the following:

Justice Vicente Santiago	-----	Chairman
Dr. E. Filart	-----	Member
Dr. Marcelo Angangco	-----	"

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating committee under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall submit its report and recommendation to the President of the Philippines as soon as possible.

Done in the City of Manila, this 13th day of May, in the year of Our Lord, nineteen hundred sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 10
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1966.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1966.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of Labor	Vice-Chairman
The Press Secretary.....	Member
The Commissioner of the Budget	Member
The Commissioner, National Integration Commission	Member
The Undersecretary of Public Works and Communications	Member
The Undersecretary of National Defense	Member
The Deputy Administrator of Economic Coordination.....	Member
The Mayor of Manila.....	Member
The President, Philippine Association of Colleges and Universities (PACU)	Member
The President, Veterans Federation of the Philippines.....	Member
The President, Civic Assembly of Women of the Philippines (CAWP)	Member
The President, Philippine Chamber of Commerce.....	Member
Mr. Manuel Collas	Member
The Presidential Protocol Officer.....	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create sub-committees as may be necessary.

Done in the City of Manila, this 13th day of May, in the year of Our Lord, nineteen hundred sixty-six.

(SGD.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 11
CREATING A COMMITTEE FOR THE SPECIAL FUND FOR EDUCATION AND RELATED MATTERS.

WHEREAS, the Philippines shall be the beneficiary of funds appropriated under the U.S. War Damage Act, as amended, to finance enduring educational projects to promote the general development of the Philippines;

WHEREAS, there is need to facilitate the disposition and utilization of this Fund by the Philippines;

WHEREAS, the Department of Education is the agency best suited to receive and screen project proposals applying for financial support under the Fund;

WHEREAS, the Chairman of the National Economic Council is the most appropriate officer for the overall administration of approved projects under the Fund; and

WHEREAS, there is need to create a committee to establish guidelines and to review project proposals screened by the Department of Education and to consult with representatives of the U.S. Government on the projects to be financed under the Fund;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to establish guidelines and to review project proposals screened by the Department of Education and to consult with representatives of the U.S. Government on the projects to be financed under the Fund to be composed of the following:

The Secretary of Foreign Affairs or his representative.....	Chairman
The Secretary of Finance or his representative.....	Member
The Secretary of Education or his representative.....	Member
The Secretary of Agriculture and Natural Resources or his representative	Member
The Chairman, National Economic Council or his representative	Member
The Chairman, National Land Reform Council or his representative	Member
The Director-General, Presidential Economic Staff or his representative	Member

The Department of Education, through a Secretariat which it shall organize for the purpose, is hereby authorized to receive and screen all projects submitted by qualified parties applying for financing under the Special Fund. The projects shall, in turn, be reviewed by the Committee and administered by the Chairman of the National Economic Council.

The Committee and the Department of Education are hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance and

information as they may require in the performance of their functions and shall have such other powers consistent with the execution of their duties.

The Committee shall meet at the call of the Chairman and shall submit from time to time reports on the progress of its activities to the President.

Administrative Order No. 127 dated July 1, 1965, is hereby revoked.

Done in the City of Manila, this 13th day of May, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RAFAEL M. SALAS**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 12
DESIGNATING DR. GAUDENCIO GARCIA TO INVESTIGATE THE ADMINISTRATIVE
CHARGES AGAINST GOVERNOR JOSE VILLARAMA OF BULACAN

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby designate Dr. Gaudencio Garcia to investigate the administrative charges filed against Governor Jose Villarama of Bulacan for Dishonesty, Oppression and Grave Misconduct by Provincial Board Members Manuel Lizaso, Felipe Buencamino and Amado Pineda of the same province.

Dr. Garcia is hereby granted all the powers of an investigator under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation. He is also authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance or information as he may require in the performance of his functions, and for this purpose, he shall have access to, and the right to examine any books, documents, papers or records thereof.

He shall submit his report and recommendations within the shortest time possible.

Done in the City of Manila, this 3rd day of June, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 13

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 4 DATED FEBRUARY 21, 1966, AS AMENDED BY ADMINISTRATIVE ORDER NO. 5 DATED MARCH 24, 1966, RECONSTITUTING THE PHILIPPINE PANEL FOR THE SETTLEMENT OF VETERANS CLAIMS AGAINST THE UNITED STATES.

The membership of the Philippine Panel to the RP-US Joint Veterans Commission created under Administrative Order No. 4 dated February 21, 1966, as amended by Administrative Order No. 5 dated March 24, 1966, is hereby further amended to read as follows:

“General Eulogio Balao	Chairman
Ambassador Eduardo Quintero	Vice-Chairman
Senator Jose J. Roy	Member
Congressman Simeon Valdez	Member
Undersecretary of Defense for Munitions Manuel Syquio	Member
Colonel Lorenzo Camins	Member
PVA Deputy Administrator Juan Gaccad	Member
Minister Cesar Lanuza	Member
Speaker Cornelio T. Villareal	Adviser”

Done in the City of Manila, this 14th day of June, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 14
CREATING A COMMITTEE TO INVESTIGATE REPORTED IRREGULARITIES IN THE
ISSUANCE OF CONSULAR INVOICES RESULTING IN TECHNICAL SMUGGLING.

A committee is hereby created to investigate reported irregularities in the issuance of consular invoices resulting in technical smuggling, composed of the following:

Prof. Enrique M. Fernando	Chairman
Mr. Alfredo Pio de Roda	Member
Mrs. Remedios Azurin	Member

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating body under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall submit its report and recommendation to the President of the Philippines as soon as possible.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 15

DESIGNATING THE MEMBERS OF THE PHILIPPINE COMMITTEE THAT WILL CONSIDER WITH THE MALAYSIAN GOVERNMENT WAYS AND MEANS TO IMPLEMENT THE MALAYSIAN GOVERNMENT'S ASSURANCES TO ASSIST IN THE PHILIPPINE ANTI-SMUGGLING DRIVE.

WHEREAS, it is deemed necessary that a Philippine Committee be designated to sit down with a counterpart group of the Malaysian Government for the purpose of considering ways and means to implement the Malaysian Government's assurances to assist in the Philippine anti-smuggling drive;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby constitute and designate the members of the Philippine Committee as follows:

Undersecretary of Foreign Affairs Manuel Collantes	– Chairman
Undersecretary of Finance Juan Ponce Enrile	– Member
Brig. Gen. Manuel Flores	– Member
Commodore Heracleo J. Alano	– Member
Commissioner of Customs Jacinto T. Gavino	– Member
Atty. Ethelwaldo E. Fernandez	– Member
Mr. Joaquin P. Roces	– Member
Mr. Leon O. Ty	– Member
Minister Samson Sabalones	– Executive Secretary

The Philippine Committee is authorized to engage the services of such technical assistants or personnel as may be needed for the negotiation herein referred to.

Done in the City of Manila, this 27th day of July, in the year of Our Lord, nineteen hundred sixty-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 16
AMENDING ADMINISTRATIVE ORDER NO. 93 DATED MAY 5, 1964, ENTITLED “CREATING
A PRESIDENTIAL SCHOOL BUILDING COMMITTEE”.

The composition of the Presidential School Building Committee created under Administrative Order No. 93 dated May 5, 1964, is hereby amended as follows:

Executive Secretary	Chairman
Secretary of National Defense	Member
Secretary of Education	Member
Secretary of Public Works and Communications	Member
Secretary of Agriculture and Natural Resources	Member
Commissioner of the Budget	Member
Presidential Assistant on Community Development	Member

Done in the City of Manila, this 8th day of August, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 17
DESIGNATING SOLICITOR GENERAL ANTONIO BARREDO TO INVESTIGATE THE
ADMINISTRATIVE CHARGES AGAINST CHIEF OF POLICE MONEBRIO ABELLANA OF
DAVAO CITY.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby designate Solicitor General Antonio Barredo to investigate the administrative charges filed against Chief of Police Monebrio Abellana of Davao City for omission, dereliction of duty and immorality by Atty. Jose V. Diaz of said city.

Solicitor General Barredo is hereby granted all the powers of an investigator under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation. He is also authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance or information as he may require in the performance of his functions, and for this purpose, he shall have access to, and the right to examine any books, documents, papers or records thereof.

He shall submit his report and recommendation within the shortest time possible.

Done in the City of Manila, this 11th day of August, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 18
REMOVING MR. GEMINIANO G. BELOSO FROM OFFICE AS FIRST ASSISTANT PROVINCIAL
FISCAL OF BATANGAS.

This is an administrative proceeding instituted by the defunct Presidential Committee on Administration Performance Efficiency (PCAPE) against First Assistant Provincial Fiscal Geminiano G. Beloso of Batangas for dishonesty, abuse of authority, gross misbehavior, serious misconduct and malfeasance in office.

In the main, respondent is charged with having illegally disposed of untaxed blue seal cigarettes which were apprehended by police agencies and were under his custody as exhibits in various criminal cases being prosecuted by him in court.

From a careful review of the evidence on record, it appears that during the anti-smuggling campaign of the Philippine Constabulary command in the province of Batangas in 1962 untaxed cigarettes of various brands were turned over to the office of the Provincial Fiscal of Batangas. These cigarettes were to be used as evidence against the persons found in possession thereof in violation of Section 174 of the National Internal Revenue Code.

Lieutenant Colonel Angel Palomares, then PC provincial commander of Batangas, testified during the investigation that he turned over the apprehended or confiscated untaxed blue seal cigarettes to the Office of the Provincial Fiscal of Batangas; that respondent, at that time Acting Provincial Fiscal, was not available in his office on certain occasions when the turnover was effected, but in such instances, Sixto Casao, property clerk of the fiscal's office, received the cigarettes which were thereafter turned over to respondent.

From respondent's own testimony, the following were delivered to his office by the PC:

Aug. 27/62	– 211 cases and 34 cartons Old Gold	Case No. 513
Aug. 1/62	– 30 cartons Union	Case No. 479
Aug. 15/62	– 200 cartons Old Gold	Case No. 501
July 23/62	– 571 cartons Old Gold turned over to the BIR	Case No. 504
Aug. 30/62	– 94 cartons & 20 packages Union	Case No. 512
Sept. 10/62	– 27 cases Union	Case No. 516
Sept. 7/62	– 5 cases Old Gold & 1 case Union	Case No. 508
Aug. 13/62	– 140 cartons found abandoned in BTRCo. Bus No. 400	No case
Sept. about the end	– 6 cases Old Gold found abandoned along the shore of Batangas Lake	No case

(Exh. 3.)

Excluding from this list the 571 cartons of Old Gold cigarettes in Case No. 504 which were turned over to the Bureau of Internal Revenue, respondent, as the fiscal handling the aforementioned

anti-smuggling cases, had under his personal custody 12,564 cartons and 20 packages (or 12,566 cartons) of assorted blue seal cigarettes for which he was accountable.

On October 18, 1962, by authority of the then Secretary of Justice, a physical inventory of the blue seal cigarettes deposited in the office of the Provincial Fiscal of Batangas was conducted. The inventory report (Exh. 1), based on actual physical count, reveals that of the 231 cases of smuggled cigarettes found in respondent's office and duly examined, only 6 boxes were found with the complete contents of 50 cartons each. The rest were short in number of cartons, varying from 0 to 33. Numerous cartons were found to contain newspapers and with broken seals. The inventory report carried the observation "that a few cases had the union brand intact. However, there are slits on the sides, and the inner boxes including the plastic covers, were tampered to enable the withdrawal therefrom of cartons of Union cigarettes."

All in all, a total of 7,146 cartons were accounted for during the inventory; and deducting these from the 12,566 cartons under respondent's accountability, there was a shortage of 5,420 cartons. Computed at a replacement value of ₱7.03 per cartons, the loss amounts to ₱38,102.60 for which respondent is liable.

Respondent sets up the defense that when the cigarettes were delivered to his office, the boxes or cartons were not opened one by one and their contents verified because the cases were closed and secured with pasted paper. This contention, however, is belied by Sixto Casao, the property clerk of respondent's office, who stated that "the contents of 211 cases were complete because they were sealed" (tsn, pp. 42 & 43, March 1, 1966). Even if respondent's claim that the cigarettes cases were not opened for a physical count were true, he would still be guilty of negligence because it was his bounden duty to verify the contents of the cases before accepting custody and personal responsibility therefor. Apparently, he was satisfied that the boxes contained the correct quantity of cigarettes, otherwise he would not have initiated criminal action against the persons in whose possession the cigarettes were found.

Respondent also poses the possibility of theft or pilferage because the wall between his office and the toilet had an opening at the top through which entry to his office and access to the cigarettes was possible. However, this contention is negated by his own testimony that there was no pilferage in his office (tsn, p. 36, Feb. 3, 1966, tsn, p. 76, Feb. 17, 1966).

A janitor also testified that respondent, on several occasions after office hours, borrowed the key to his office where the cigarettes were stored. Furthermore, a constabulary sergeant assigned on surveillance duty at the provincial capitol stated that he saw respondent and another person carrying six cases of Old Gold blue seal cigarettes from the fiscal's office which they loaded in a jeep.

The record is therefore replete with evidence pointing to respondent's guilt of misconduct in office in connection with the disappearance of confiscated blue seal cigarettes under his custody.

Concerning the charge of abuse of authority and malfeasance in office, it appears that respondent originally filed Criminal Case No. 501 against one Rodolfo Magsino for violation of Article 172 of the Internal Revenue Code for possession of smuggled or untaxed cigarettes found in a vehicle Magsino was driving. Upon reinvestigation of the case, Magsino presented an affidavit to the effect that he had borrowed the car from a Chinaman named Ang Kiam Bee, and on the basis of this simple affidavit, respondent filed a motion for the dismissal of the case against Magsino and at the same time filed a criminal information against Ang Kiam Bee. After an assistant fiscal reinvestigated the matter, the case against the Chinese was dismissed and that against Magsino revived and refiled, because it was found out that the car from which the 200 cartons of cigarettes had been confiscated was owned by one Ireneo Salud who had bought it from Magsino. Because of the haste and lack of circumspection

and care of respondent, a criminal case was unduly filed against an innocent person who was thereby exposed to indignities, unnecessary expenses and risk of conviction.

Upon the foregoing, respondent is found guilty of serious misconduct in office amounting to dishonesty and of gross negligence in the performance of his duty.

Wherefore, Mr. Geminiano G. Beloso is hereby removed from office as First Assistant Provincial Fiscal of Batangas, with prejudice to reinstatement, effective upon receipt of a copy of this order.

Done in the City of Manila, this 15th day of August, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 19

DIRECTING THAT TRANSMITTAL OF COMPLAINTS AND GRIEVANCES TO THE GOVERNOR OF THE LAND AUTHORITY, THROUGH THE FACILITIES OF THE BUREAU OF TELECOMMUNICATIONS, BY MEANS OF WIRE OR TELEGRAPHIC SERVICES, BY ANY PRIVATE CITIZEN, BE CHARGED AT MINIMAL COST OF TEN CENTAVOS.

WHEREAS, the government is committed to the full implementation of the land reform program as envisioned under the Agricultural Land Reform Code (Rep. Act No. 3844);

WHEREAS, the benefits of said program can only be realized if there is in the government sector maximum attendance and attention to the manifold problems, complaints and grievances of those involved or affected in the carrying out of many activities in land reform;

WHEREAS, there is need to provide easy access and reception to these complaints and grievances to effectuate prompt attention thereto; and

WHEREAS, the Governor of the Land Authority is directly responsible to the President in the discharge of his functions as such, aside from his being Chairman of the National Land Reform Council composed of member agencies all geared towards the implementation of land reform;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct that the Bureau of Telecommunications make available its facilities to private citizens by transmitting their complaints and grievances to the Governor of the Land Authority, by means of wire or other telegraphic services, at the minimal cost of ten centavos.

Done in the City of Manila, this 22nd day of August, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 20
DETAILING PUBLIC INFORMATION OFFICERS OF GOVERNMENT OFFICES AND
AGENCIES WITH CENTRAL LUZON DEVELOPMENT PROGRAM.

WHEREAS, Central Luzon Development Program was launched two months ago or on June 1, 1966, in order not only to counteract the resurgence of dissident activities but to bring about the improvement of the social and economic life of the people in Central Luzon through a balanced development program for the region;

WHEREAS, the dissemination of information on this program of government and the positive measures to implement it have been deficient due to the lack of coordination and liaison among the various information offices of the government and the lack of an effective organization to attend to this phase of the program; and

WHEREAS, there is no doubt dissemination of information on the various measures is necessary in order to neutralize the propaganda being waged by the Huks and other hostile elements, whose obvious purpose is to undermine the efforts of the government in order to serve better their own selfish ends;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the detail of the public information officers or such other officers involved in information dissemination of the following government offices and agencies for at least a three-month tour of duty with Central Luzon Development Program:

1. Department of Agriculture and Natural Resources and the different bureaus under it involved in the rural development program;
2. Department of Health, and the bureaus or offices under it involved in the rural development program;
3. Department of Public Works and Communications;
4. Agricultural Productivity Commission;
5. Agricultural Credit Administration;
6. Presidential Arm on Community Development;
7. National Cottage Industries Development Authority;
8. Land Authority;
9. Land Bank;
10. Irrigation Service Unit;
11. National Irrigation Administration;
12. Rice and Corn Administration;
13. Social Welfare Administration;
14. Social Security System;
15. Central Bank, particularly the Rural Banks Department;
16. Rice Productivity Council, and

17. All other agencies of the government which may be called upon to participate in Operations Central Luzon.

These offices or such officers of these offices as may be chosen by the Press Secretary for this particular task shall assist in the dissemination of information on the programs and activities of Central Luzon Development Program.

In the performance of this additional duty, these offices or officers shall be under the supervision and direction of the Press Secretary or any officer who may be designated by him.

Done in the City of Manila, this 22nd day of August, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 21

STATING THE GOVERNMENT POLICY ON DOMESTIC AND FOREIGN INVESTMENTS AND
DIRECTING ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES, GOVERNMENT-
OWNED OR CONTROLLED CORPORATIONS AND GOVERNMENT FINANCIAL
INSTITUTIONS TO OBSERVE THE PROVISIONS OF THE CONSTITUTION OF THE
PHILIPPINES AND EXISTING LAWS WITH REGARD TO INVESTMENTS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby declare that the policy of the Philippine Government is to encourage domestic and foreign investment in certain areas of economic activity. To this end, all government agencies and instrumentalities, government-owned or controlled corporations and government financial institutions are hereby directed to observe the provisions of the Constitution of the Philippines and all existing laws in a manner that would assist or encourage investment in the Philippines.

All investors of the Philippines shall be assured of the basic rights and guarantees provided for in the Constitution of the Philippines.

The Central Bank of the Philippines and the National Economic Council are hereby directed to assure investors the following:

(a) Repatriation of Investment. – The right to repatriate the whole or any part of the proceeds from the liquidation of the investment in the currency in which the investment was originally made and at the exchange rate prevailing at the time of repatriation.

(b) Remittance of Earnings. – The right to remit earnings from the investment in the currency in which the investment was originally made and at the exchange rate prevailing at the time of remittance.

(c) Payments of Foreign Loans. – The right to remit at the exchange rate prevailing at the time of remittance such sums as may be necessary to meet payments of interest and principal on foreign loans.

(d) Servicing of Foreign Obligations. – The right to remit at the exchange rate prevailing at the time of remittance such sums as may be necessary to service foreign obligations arising from contracts for: (1) the transfer by license or otherwise of patent processes or formulas or other technological rights of foreign origin; and (2) foreign assistance concerning technical and factory management, design, planning, construction and similar matters.

Pursuant to the provisions of the Constitution of the Philippines, investments shall be free from expropriation by the government except for a public purpose and upon payment of just compensation (Article III, Section 1, Paragraph (2)). Neither shall such investments be requisitioned except in the interest of national welfare and defense and upon payment of just compensation (Article XIII, Section 6). The provisions of the Philippine Constitution (Article XIII, Section 1; Article XIV, Section 8)

and all other special laws where a minimum Filipino participation is required in certain areas of economic activity shall be observed. In the event of war, foreign investors shall be treated in accordance with the generally accepted principles of international law (Article II, Section 3).

To the extent allowed under existing laws, enterprises financed by foreign capital may employ foreign nationals in supervisory, technical or advisory positions. As a matter of policy, however, foreign investors shall, as much as possible, utilize Filipino administrative, supervisory and technical skills.

The areas of investment which the Philippine Government would like to encourage are:

(a) Commercial Agricultural Crops

- (1) For export, such as bananas, african oil palms, pineapples, fruits, vegetables, etc.
- (2) For import substitution, such as grain, soybean, wheat, cotton, etc.

(b) Livestock

- (1) Beef and dairy farm operation.

(c) Marine Products

- (1) Deep sea fishing, prawn and oyster farming, pearl culture, for export and domestic consumption.

(d) Mining

- (1) Base metals.
- (2) Coal, crude petroleum and natural gas.

(e) Wood Processing

- (1) Veneer and plywood manufacturing.

(f) Food Manufacturing

- (1) Canning and preserving of fruits and vegetables.
- (2) Canning of fish and other sea foods, including fish meal manufacturing and processing of fish canning by-products.

(g) Pulp and Paper Products

- (1) Manufacture or conversion of wood and other pulping materials into pulp.

(h) Chemicals

- (1) Manufacture of basic industrial and agricultural chemicals.
- (2) Manufacture of drugs and anti-biotics.

(i) Non-Metallic Mineral Products

- (1) Oil refining and petro-chemicals.
- (2) Manufacture of ceramic refractories.
- (3) Coke.

(j) Basic Metals

- (1) Iron and basic metal industries.
- (2) Non-ferrous basic metal industries, such as aluminum reduction, copper smelting, etc.

(k) Non-Electrical Machinery

- (1) Manufacture of engines and turbines.
- (2) Manufacture of tractors and farm machinery.
- (3) Manufacture of industrial machinery and equipment, machine tools, metal working accessories and component parts.

(l) Electrical Machinery

- (1) Manufacture of electrical transmission and distribution equipment, industrial machinery and apparatus.
- (2) Manufacture of electrical communications equipment.

- (3) Manufacture of components for radio, television and other electrical appliances.
- (m) Transport Equipment
 - (1) Manufacture of motor vehicles and aircrafts.
 - (2) Shipbuilding, barge-building and dry-docking.
 - (3) Manufacture of spare parts and accessories for ships, aircrafts, tugboats and motor vehicles.
- (n) Transportation
 - (1) Operation of passenger and cargo ships for domestic and foreign trade.
- (o) Public Improvement Projects
 - (1) Construction of highways, bridges, piers and other self-liquidating public improvement projects.
 - (2) Dredging and land reclamation.
- (p) Storage
 - (1) Operation of commercial cold storage facilities for vegetables, fruit, meat, fish and fresh milk.

Done in the City of Manila, this 6th day of September, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 22
CREATING TASK COMMITTEES TO TAKE CHARGE OF ALL ARRANGEMENTS
CONNECTED WITH THE MANILA SUMMIT CONFERENCE TO BE HELD IN MANILA ON
OCTOBER 24-25, 1966.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the following Task Committees whose composition and membership are hereunder indicated to take charge of all arrangements in connection with the Manila Summit Conference to be held in the City of Manila on October 24-25, 1966, to wit:

The Executive Secretary shall be the over-all Chairman of all the task committees to be created hereunder. In that capacity, he shall assign to them their respective functions, duties and responsibilities. He shall be assisted by the Deputy Director-General for Operations of the Presidential Economic Staff.

A. Conference Secretariat Committee

Undersecretary Jose Ingles	
Department of Foreign Affairs	Secretary General
Undersecretary Manuel Collantes	
Department of Foreign Affairs	Deputy Secretary General

B. Protocol Committee

Ambassador Manuel Zamora	
Malacañang Protocol Office	Chairman
Ambassador Alberto Katigbak	
Department of Foreign Affairs	Member

C. Reception and Departure Committee

Ambassador Alberto Katigbak	
Department of Foreign Affairs	Chairman
Col. Cesar Jimenez	
Department of National Defense	Member
Ambassador Manuel Zamora	
Malacañang Protocol Office	"
Commissioner Augusto Ressurecion	
Board of Travel & Tourist Industry	"
Mrs. Carlos Romulo, Jr.	"

D. Special Arrangement Committee

Assistant Executive Secretary	
Jose J. Leido, Jr.	
Malacañang Executive Office	Chairman
Capt. Jaime Venago	
Malacañang Executive Office	Member

-
- Mr. Dominador Cepeda
Philippine National Bank "
- E. Communications Committee
Undersecretary Manuel B. Syquiao
Department of National Defense Chairman
Director Antonio C. Gamboa, Jr.
Bureau of Telecommunications Member
Lt. Col. Magtanggol N. Ongchangco
Department of National Defense "
Major Cesar G. Hechanova
Department of National Defense "
Mr. Homer Pratte
Philippine Long Distance Telephone Co. "
- F. Transportation Committee
Commissioner Romeo F. Edu
Land Transportation Commission Chairman
Commissioner Baltazar Aquino
Public Highways Commission Member
Commissioner Edmundo Reyes
Immigration Commission "
Lt. Col. Carlos B. Flores
TRAFCON, Philippine Constabulary "
- G. Billeting Committee
Commissioner Jose S. Clemente, Jr.
Board of Travel & Tourist Industry Chairman
Commissioner Augusto Ressurrecion
Board of Travel & Tourist Industry Member
Mr. Iluminado Torres
Department of Foreign Affairs "
- H. Social Functions Committee
Mrs. Lourdes Villacorta
Malacañang Social Office Chairman
Ambassador Manuel Zamora
Malacañang Protocol Office Member
Mr. Iluminado Torres
Department of Foreign Affairs "
- I. Finance Committee
Commissioner Faustino Sy Changco
Budget Commission Chairman
Mr. Cesar Dumlao
Malacañang Finance Division Member
- J. Security Committee
Gen. Ismael D. Lapuz
National Intelligence Coordinating Agency Chairman
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-
- Gen. Segundo Velasco
Philippine Constabulary Vice-Chairman
- Gen. Ricardo Papa
Manila Police Department Member
- K. Press Committee
Secretary Jose Aspiras
Malacañang Press Office Chairman
Assistant Press Secretary Jacobo Clave
Malacañang Press Office Member
Mr. Nereo Andolong
Philippine Charity Sweepstakes Office "
- L. Committee on Food
Assistant Executive Secretary
Gilberto M. Duavit
Malacañang Executive Office Chairman
Mrs. Celia Diaz Laurel
Philippine Tourist & Travel Assn. Member
- M. Coordinating Committee
Assistant Executive Secretary
Jose J. Leido, Jr.
Malacañang Executive Office Chairman
Deputy Director-General
Alejandro Melchor
Presidential Economic Staff Vice-Chairman
Capt. Romeo Solina
Malacañang Executive Office Member
Lt. (SG) Vicente Brillantes
Presidential Economic Staff "
Major Roberto V. Reyes
Presidential Economic Staff "
Mr. Jose P. Mananzan
Presidential Economic Staff Member
- N. Welcoming Committee
Undersecretary Onofre D. Corpuz
Department of Education Chairman
Assistant Executive Secretary
Flores A. Bayot
Malacañang Executive Office Vice-Chairman
- O. Physical Arrangement Committee
Undersecretary Manuel Feliciano
Department of Public Works and Communications Chairman
Mr. Narciso G. Angeles
Board of Censors for Motion Pictures Member
Engineer Timoteo Manzanero
Malacañang "
-

-
- P. Programs Committee
 Undersecretary Fernando Campos
 Department of Commerce Chairman
- Q. Service Desk Committee
 Commissioner Augusto Ressurrecion
 Board of Travel & Tourist Industry..... Chairman
- R. Military Participation Committee
 Gen. Segundo Velasco
 Philippine Constabulary Chairman
- S. Special Events Committee
 Commissioner Manuel H. Nieto
 Board of Travel & Tourist Industry..... Chairman

In the case of the committees whose members are not specified, the Chairman or Secretary General thereof shall select and designate the person or persons who shall compose the committee. The Chairman or Secretary General of each of the committees shall also have the power to organize and compose the secretariat of the committee concerned.

The foregoing committees are hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as they may need in the discharge of their respective functions.

Done in the City of Manila, this 18th day of October, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
 (Sgd.) RAFAEL M. SALAS
 Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 23
AMENDING ADMINISTRATIVE ORDER NO. 22 DATED OCTOBER 18, 1966, ENTITLED
“CREATING TASK COMMITTEES TO TAKE CHARGE OF ALL ARRANGEMENTS
CONNECTED WITH THE MANILA SUMMIT CONFERENCE TO BE HELD IN MANILA ON
OCTOBER 24-25, 1966.”

The second paragraph of Administrative Order No. 22 dated October 18, 1966, entitled “Creating Task Committees to take charge of all arrangements connected with the Manila Summit Conference to be held in Manila on October 24-25, 1966,” is hereby amended so as to include the following subparagraph thereunder:

“T. Local Governments Committee

Mayor Antonio J. Villegas	Chairman
Mayor Norberto Amoranto	Member
Mayor Pablo Cuneta	"
Mayor Macario Asistio	"
Mayor Maximo B. Estrella	"
Mayor Filemon Javier	"
Mayor Nicanor Ibuna	"

The Local Government Committee shall take charge of the participation of local governments in the preparation for the Summit Conference and shall be subject to the supervision of the over-all Chairman of all the Task Committees created under Administrative Order No. 22.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 24
DESIGNATING THE MEMBERS OF THE PHILIPPINE PANEL FOR THE PHILIPPINE-JAPAN
JOINT COMMISSION

WHEREAS, the Joint Communique of October 3, 1966, issued at Tokyo, Japan, envisions the creation of a Philippine-Japan Joint Commission to study the financing requirements of priority Philippine projects, including the proper utilization of the \$250 million loan component of the Reparations Agreement;

WHEREAS, there is immediate need to designate the members of the Philippine Panel in order that the Philippine-Japan Joint Commission may be convened at the earliest possible time;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute the Philippine Panel to be composed of the following:

Ambassador Jose S. Laurel, III	Chairman
Hon. Roberto S. Benedicto	Vice-Chairman
Hon. Pio Pedrosa	Member
Hon. Gregorio G. Abad	Member
Hon. Gregorio S. Licaros	Member

The members of the Philippine Panel shall meet with their Japanese counterparts and shall perform such duties as are in accordance with the terms of reference implicit in the above Joint Communique of October 3, 1966.

Done in the City of Manila, this 2nd day of November, nineteen hundred and sixty-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 25
REMOVING MR. MARCELINO P. RAMIREZ FROM OFFICE AS MUNICIPAL JUDGE OF
POLOMOLOK, COTABATO.

Mr. Marcelino P. Ramirez, municipal judge of Polomolok, Cotabato, is charged with (1) gross ignorance of the law, (2) grave abuse of authority and (3) partiality, malice, irresponsibility and propinquity to violence, intimidation and corruption.

The charges, which respondent denied, were investigated by the District Judge who found the respondent guilty on three counts as specified hereunder and recommended that he be suspended for ten (10) days without pay with a warning. However, the former Secretary of Justice (Alejo Mabanag), while concurring in the findings of the investigator, found the latter's recommendation too lenient for the serious offenses committed and recommended respondent's dismissal.

I. Abuse of authority

The record shows that on December 5, 1958, while the respondent was acting as justice of the peace of General Santos, Criminal Case No. 863 for homicide was filed in court and submitted therewith, as an exhibit, was a "Star" pistol, cal. 38. On January 8, 1959, respondent dismissed the case and ordered the return of the pistol to its owner. On January 4, 1959, however, the same pistol was found in the possession of one Cesar Escuadra, who said that it belonged to the respondent. The pistol was confiscated and turned over to the chief of police of Polomolok.

Respondent denies that he gave the pistol to Escuadra, as it was turned over to him by the chief of police of General Santos only on January 12, 1959, after the dismissal of Criminal Case No. 863, which he brought home in Polomolok with the intention of returning it to the owner. He further explains that he deposited the pistol with the chief of police of Polomolok on January 17, 1959, and on January 28, 1959, directed its transfer to Deputy Clerk of Court Villodres for delivery to the owner.

The respondent fails to explain satisfactorily how the pistol came into Escuadra's possession, if not from him, to substantiate the claim that the pistol was in the possession of the chief of police of General Santos prior to January 4, 1959, when it was found in Escuadra's possession, and why he accepted said firearm when it was turned over to him after the dismissal of Criminal Case No. 863, since he had already ordered its return to the owner. Evidence of respondent's relationship with Escuadra, like the fact that the latter was assigned as janitor in the office of the respondent and that he used to stay in the latter's house, tends to point to respondent as the source of the pistol.

II. Dereliction of Duty

In connection with the incident in which Escuadra was found in the illegal possession of a firearm and ammunition, complainant Chief of Police Magalong of Polomolok alleges that he prepared a complaint and presented it to the respondent, but that the latter told him to fix up the case amicably;

so he had to refer the matter to the provincial fiscal. Respondent denies the complaint as having been presented to him.

The testimony of the chief of police that the respondent was interested in fixing the case of Escuadra carries greater weight, not only because of its positive nature but primarily because of the evidence establishing respondent's connection with the firearm involved and his interest in Escuadra's welfare. Such interest on respondent's part makes it highly probable that he refused to accept the case when presented to him by the chief of police, an act constituting dereliction of duty.

III. Illegal contempt proceedings

The record shows that Attorneys Jose Barranda and Lucenio O. Golingan were opposing counsel in a case pending before the court of the respondent who issued a notice setting the case for hearing on November 28, 1958, which Atty. Barranda changed to November 29 and Atty. Golingan to November 30. For such alteration, the respondent issued a warrant of arrest against them, as they were in fact arrested, and summarily imposed upon them a penalty of one-day imprisonment and ₱10 fine, which was later reduced to ₱5. The respondent justifies his actuations in that the act of said attorneys constituted direct contempt.

The investigating judge, with the former Secretary of Justice concurring, held that the alteration in question could not be considered as direct contempt, which would justify summary action. If said lawyers, as observed by the Judge, committed any disobedience to the order of the court, they could have been charged with constructive or indirect contempt. Respondent therefore exceeded his jurisdiction in summarily adjudging the lawyers in contempt of court and penalizing them accordingly.

After examining and evaluating the evidence on record, I concur in the finding that respondent is guilty of the charges above discussed. In view of the serious nature of the irregularities committed, and upon the recommendation of the Department of Justice, Mr. Marcelino P. Ramirez is hereby removed from office as municipal judge of Polomolok, Cotabato, effective upon receipt of a copy of this order.

Done in the City of Manila, this 9th day of November, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 26
REMOVING MR. ELIEZER TENGCO FROM OFFICE AS THIRD ASSISTANT PROVINCIAL
FISCAL OF LAGUNA.

This is an administrative case against Mr. Eliezer Tengco, Third Assistant Provincial Fiscal of Laguna, who, together with Provincial Fiscal Juan Salazar of the same province, stands charged with dishonesty, misconduct in office and neglect of duty. The charges against both were investigated by a special panel created by the Department of Justice, composed of the City Fiscal of Baguio and the Provincial Fiscals of Nueva Ecija and Bukidnon. This decision is limited to the case against Fiscal Tengco, who shall be referred to hereafter as the respondent. The case against Fiscal Salazar will be disposed of separately.

The pertinent facts established during the investigation are briefly stated as follows:

On February 23, 1964, at Famy, Laguna, untaxed "Union" cigarettes were confiscated by the Philippine Constabulary provincial command. An inventory in the presence of respondent, among others, was taken on the same day, showing that the catch consisted of 192 cases of genuine blue seal cigarettes (Exh. A). Respondent, after conducting the preliminary investigation of the criminal case against the persons in whose possession the cigarettes were confiscated, filed the proper criminal information on February 24, 1964 (Exh. T). The cigarettes were then transferred by the PC provincial commander to the Bureau of Internal Revenue Regional Office at San Pablo City, with the BIR administrative officer issuing a receipt therefor, stating that the items were genuine blue seal cigarettes (Exhs. B & C).

On March 9, 1964, counsel for the accused in the criminal case for possession of untaxed cigarettes requested a reinvestigation of the case (Exh. BB). The petition for reinvestigation was granted. On March 24, 1964, the Provincial Fiscal addressed a letter (Exh. K) to the BIR regional director requesting that the goods be transferred to the former's office at Sta. Cruz, Laguna, for presentation as evidence in the reinvestigation of the criminal case. Reynaldo Cambel, administrative officer of the provincial fiscal's office, was authorized to take possession of the confiscated goods. On the way to Sta. Cruz, at Magdalena, Cambel, at the instigation of the alleged smuggler, Luis Barcelona, together with other persons including members of the police force of San Pablo City, effected a switch, whereby 142 cases of genuine blue seal cigarettes were changed with similar cases containing rice bran or chaff (Exh. II, sworn statement of Cambel). Cambel, about midnight of April 12, 1964, effected a second swap in the courthouse at Sta. Cruz, Laguna, where he got 34 cases of cigarettes. This incident was witnessed by the guards who duly reported the matter to the deputy clerk of court. On the morning of the same day, Cambel distraught by his having been caught "while in the act of interchanging the evidence—cigarettes," approached respondent and confessed the whole affair. Respondent and Cambel forthwith proceeded to Manila to report to the Provincial Fiscal.

The reinvestigation of the criminal case against the possessors of the blue seal cigarettes by respondent, although postponed for several times, finally took place on May 5, 1964. When a second inventory of the cigarettes was thereupon taken, it was found out that of the original 9,600 cartons

contained in 192 cases, only 2,000 cartons distributed among 192 cases were left. Respondent then prepared the resolution recommending the amendment of the original information so as to reduce the quantity of cigarettes from 9,600 to 2,000 cartons and the value thereof from ₱50,688 to ₱10,500. The Provincial Fiscal approved the resolution and the amended information dated May 5, 1964, was filed in court although the same was not sworn to until May 26, 1964.

Respondent in his sworn statement (Exh. EE) admitted that even before the reinvestigation conducted on May 5, 1964, he had known of the substitution at Magdalena and at the courthouse because Cambel had confessed the incidents to him. While respondent alleged that he reported the substitutions to the Provincial Fiscal on April 12, 1964, the investigators' impression, which is believed correct, is that respondent in truth proceeded to Manila with his brother and Cambel not to report the matter but to ask the Provincial Fiscal to intercede with the clerk of court to direct the guards who caught Cambel to allow the 176 fake cases of cigarettes to be brought to the court building. The advice of the Provincial Fiscal was for them to see the clerk of court, which they did, and upon their return, Judge Ernesto Tengco, brother of respondent, gave the assurance that they would take care of the guards.

Sometime in the month of April 1964 Cambel telephoned respondent informing the latter that one Edgardo Lope had been apprehended in Sta. Cruz by the constabulary for possession of 25 cartons of blue seal cigarettes apparently taken from the courthouse. Respondent upon hearing this report lost no time in proceeding to the PC barracks where he talked with a PC captain who gave the assurance that Lope would be released. At the barracks, respondent saw the 25 cartons of cigarettes but made no inquiries from Lope where he had gotten them. No case was filed against Lope and no report was ever made concerning the 25 cartons of blue seal cigarettes.

By way of exculpation, respondent claims that the substitutions did not affect the integrity or the number of the cartons of cigarettes. This defense obviously cannot be given weight. For one thing, at the time the inventory of the goods was taken, respondent did not indicate that the cases contained worthless materials as he now asserts. For another, no evidence was presented that the cases substituted indeed contained worthless goods. Besides, if respondent's claim were true, Cambel certainly would not have committed a second substitution on April 12, 1964. Then, too, when Edgardo Lope took 25 cartons of cigarettes from the courthouse, to that extent at least the true amount of cigarettes was impaired.

Respondent further sets up defense that he was prodded by Cambel into signing the amended information. This barefaced attempt to exculpate himself only betrays respondent's ineptitude, lack of character and firm resolve to uphold the law, for to admit that an assistant fiscal could be prodded by his administrative officer, a subordinate employee, into signing something which he believed was illegal and improper would certainly warrant the belief that respondent truly lacks the proper endowment of character so essential to his office.

Unacceptable, too, is respondent's explanation that in interceding for the release of Edgardo Lope he merely acted in behalf of a co-employee, Cambel. Respondent, knowing the criminal nature of the actuation of Lope, never took action against him nor did he even report the matter to the Provincial Fiscal.

It may thus be seen that respondent not only kept silent about the substitution and pilferage but in fact sanctioned and permitted the bringing of 176 fake cases of cigarettes to cover up the pilferage and theft. With the knowledge of the substitution and pilferage, and the untaxed cigarettes having been in the meanwhile reduced from 9,000 to 2,000 cases with the corresponding reduction in value from ₱50,688 to ₱10,500, respondent nevertheless undertook the reinvestigation of the case and prepared a resolution to support an amended information charging the accused with possession of only 2,000 cartons of untaxed blue seal cigarettes.

Even assuming arguendo that respondent had no prior knowledge of any scheme to substitute or pilfer the cigarettes, there is clear, strong and incontrovertible proof that after having learned of the substitution at Magdalena and subsequently at the courthouse, he not only failed to discharge his duty but performed acts tending to conceal the crimes committed. This conduct is clearly most unbefitting an officer of the law. The crimes which respondent tried to cover up were intimately related to a more heinous offense —smuggling—against which the Government has been exerting unremitting efforts to eradicate or at least greatly minimize because of its pernicious and ruinous effects on the national economy and the people's moral fiber.

In view of the foregoing, I find respondent guilty of neglect of duty of such a serious nature as to warrant his separation from the service.

Wherefore, Mr. Eliezer Tengco is hereby removed from office as Third Assistant Provincial Fiscal of Laguna, effective upon receipt of a copy hereof.

Done in the City of Manila, this 11th day of November, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 27
CREATING A COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS ON THE
ORGANIZATION, FINANCING AND ADMINISTRATION OF PROVINCIAL AND CITY
HOSPITALS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to study and recommend improvements on the organization, financing and administration of provincial and city hospitals, composed of the following:

Dr. Pedro N. Mayuga	
Director of Medical Services	Chairman
Dr. Artemio Cabrera	
Department of Health	Member
Dr. Jose Caedo	
Department of Health	Member

The committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

It shall submit periodic reports and recommendations, including proposed policies and legislations to the President, through the Secretary of Health.

Done in the City of Manila, this 22nd day of November, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 28
CREATING THE SECURITY PRINTING COMMITTEE

In implementation of the provisions of Republic Act No. 4700 providing for the acquisition and operation of a national security printing plant, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Security Printing Committee to be composed of the following:

The Secretary of Finance	Chairman
The Governor, Central Bank of the Philippines	Member
The Secretary of General Services	"

The Committee shall take charge of the acquisition, with the approval of the President, installation, operation and maintenance of the security printing plant. It is empowered, with the approval of the President, to borrow funds, when necessary, from any local or foreign institution in an amount not exceeding that provided for in Section 4 of Republic Act No. 4700 to cover the cost of acquisition and installation of the plant.

It may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its functions.

The Secretary of Agriculture and Natural Resources shall exclude five (5) hectares from the operation of Proclamation No. 42 dated July 5, 1954, for security plant site purposes and shall submit the necessary technical description as soon as possible.

Done in the City of Manila, this 22nd day of November, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 29
REMOVING DISTRICT JUDGE TEOFILO B. BUSLON OF THE COURT OF FIRST INSTANCE
OF SURIGAO DEL NORTE.

This is an administrative case brought before the Supreme Court by Mrs. Catalina Vda. de Carlon against the Honorable Teofilo B. Buslon, District Judge of the Court of First Instance of Surigao del Norte, for serious misconduct and inefficiency. By order of the Court, the charges were formally investigated by the Honorable Antonio G. Lucero of the Court of Appeals. The investigator and the High Court found the following facts supported by the evidence of record:

Under an administrative order dated February 17, 1964, of the Secretary of Justice, respondent was authorized, as vacation judge, to hold sessions, besides his own court, in the Court of First Instance of Agusan during April 1964 for the purpose of trying all kinds of cases and to enter judgments therein. Pending in the Agusan court at that time was a murder case (Criminal Case No. 2260) initiated on September 12, 1960, by the Chief of Police of Cabadbaran, Agusan, against Rustico Alburo for the fatal shooting of Julio Carlon on September 11, 1960, inside the latter's billiard hall. By various maneuvers, first regarding reduction of bail, then by seeking to have the fiscal compelled to amend the information from murder to homicide, and appealing the denial of his motion by the Court of First Instance to the Court of Appeals and the Supreme Court, albeit unsuccessfully, accused Alburo had managed to delay the trial of his case for three years. He was finally arraigned on November 14, 1963, and the trial was set for December 17, 1963. The fiscal discovered that in the meantime his listed witnesses had departed from their former residences and could no longer be served with subpoenas as attested by PC returns.

The Provincial Fiscal and the private prosecutor had to proceed with the trial before the District Judge of Agusan (Hon. Montano Ortiz) by presenting witnesses not originally listed in the information filed on February 22, 1961. Those who finally testified for the State were Apostolada Palarca and Pablo Segura, who both asserted in court having seen the accused shoot Julio Carlon to death with a pistol in the billiard hall of the deceased around 10 P.M. of September 11, 1960. Dr. Manuel Ajero, the third state witness, testified having seen the accused in the billiard hall a few minutes before he heard the gunshots, and having subsequently examined the cadaver of the victim in his clinic, performed the autopsy, together with the health officer. The widow (complainant herein) was the last witness for the prosecution, and was presented to testify as to the damages caused by the crime.

The four witnesses for the prosecution were heard by District Judge Ortiz and the prosecution rested its case on March 3, 1964. On March 5, 1964, defense counsel, on petition, was granted 10 days (up to March 15, 1964) within which to file a written demurrer to the evidence, with the private prosecutor being, in turn, granted a similar period (up to March 25, 1964) to answer it. However, on March 23, 1964, defense counsel waived the right to demur to the prosecution evidence and asked the Clerk of Court to set the reception of the evidence for the defense for April 3, 6, 7 and 8, 1964. Evidently, this was done with the knowledge that by that time Judge Ortiz would be on vacation and respondent would be acting as vacation judge as directed by the Secretary of Justice. The Clerk of

Court of Agusan, instead of transmitting the request of defense counsel to Judge Ortiz, wrote the Clerk of Court of Surigao to find out whether the continuation of the hearing of the criminal case against Alburo could be inserted in the vacation judge's calendar and asked for the specific dates when respondent would hold court in Agusan. The Surigao Clerk of Court replied on March 31, 1964, that "Judge Teofilo B. Buslon requested me to inform that he is going there to try the murder case on April 7 and 8" (Exh. C).

The Clerk of Court of Agusan accordingly issued notices of trial of the cases set for hearing on April 7 and 8, 1964, particularly Criminal Case No. 2260 against Rustico Alburo. While defense counsel were duly notified, no notice was apparently served on the office of the Provincial Fiscal, for no receipt by that office appears of record, contrary to established practice. Notice was served on the office of the private prosecutor on April 6, 1964, which was received by his clerk who noted on the original that "Attorney W. B. Rosales [private prosecutor] is in Manila for one (1) week" and would probably be back the following week. Respondent was delayed in his arrival, and the case against Alburo was called in the morning of April 8, 1964, but neither the Provincial Fiscal nor the private prosecutor was present. Attorney Amado Bajarias, special counsel in the fiscal's office, vainly sought a continuance, calling attention to the lack of notice and to the fact that he was in court himself for another case, because of the absence of the private prosecutor and the Provincial Fiscal who was in Manila on official business and who had handled the case personally. Respondent judge insisted, and special counsel was forced to represent the prosecution against his will when the hearing was reset for the afternoon of the same day.

At the resumption of the trial the defense presented three witnesses but the accused did not take the stand. The first defense witness was Eugenio Segura, father of prosecution witness Paulo Segura. He testified that at the time of the occurrence, his son Paulo was in his house at Barrio Bayabas, Cabadbaran, Agusan, some eight kilometers from the poblacion. Plainly the tendency of this testimony is that Paulo could not have witnessed the shooting of the deceased.

The second defense witness was Clemente Ranoco, a laborer from Cabadbaran, who testified that in the afternoon of the occurrence he was requested by prosecution witness Apostolada Palarca to bring her things to the truck bound for Butuan City (about 25 kilometers from Cabadbaran) where she was studying. His only explanation why she had asked him to do so was that "because they are close friends."

The last defense witness, Placido Autor, had been originally listed as a prosecution witness but had disappeared when the trial judge (Ortiz) started the trial only to appear before respondent judge and testify for the defense, to corroborate Clemente Ranoco that the latter helped Apostolada bring her baggage. He testified that although he was still at the billiard table when he heard the explosion he did not know who was shot - a plain perversion of the truth, since the deceased fell near the billiard table where witness was scoring. His untruthfulness is manifest from a comparison with his own affidavit (Exh. 6).

On April 15, 1964, respondent judge promulgated a decision acquitting accused Alburo on the following considerations:

"Now, therefore, the probative value of the evidence given by two witnesses (Paulo Segura and Apostolada Palarca) has been adversely affected as follows: Firstly, the testimony given by Apostolada Palarca has thus been weakened in the beginning by the move of the Fiscal to postpone because he could not contact his witnesses. Secondly, the testimony of Paulo has also been discredited by the testimony of his own father, Eugenio Segura. Thirdly, the

testimonies of both Paulo Segura and Apostolada Palarca have been further discredited by the testimony of Placido Autor. On top of all these, neither one of the said two witnesses who testified on having seen the shooting is listed as witnesses of the government either in the complaint of the Chief of Police before the Justice of the Peace Court of Cabadbaran, in the information filed by the Fiscal in the same Court of Cabadbaran, or in the information filed by the Fiscal in this Court.

“Although it is not absolutely necessary that all witnesses who can prove the case against an accused should be listed at the foot of the information, yet the move of the Fiscal in trying to secure another postponement on the ground that his witnesses have not been found, indicated that the said two witnesses, Paulo Segura and Apostolada Palarca, would not have been presented if the other witnesses listed in the information had come to court.

“Apostolada Palarca confessed on the witness stand that she fully sympathized with her sister, the surviving widow of Julio Carlon and was naturally interested that she should win the case. Paulo Segura admitted that Mrs. Carlon was his aunt. Hence the deceased Julio Carlon was his uncle by affinity.

“The admission of relationship and personal interest by the said two witnesses, Paulo Segura and Apostolada Palarca, when considered against the testimonies of Clemente Ranoco and Placido Autor who had no personal interest to serve in this case and the testimony of Eugenio Segura, who, altho he was a relative by affinity of Julio Carlon, nevertheless, took the witness stand to belie the assertions of his son Paulo, and when considered further against the fact that the names of said witnesses do not appear in the list of the prosecution -- all these render the testimonies of the said two witnesses unworthy of belief. All the foregoing facts perforce lead the Court to the conclusion that the said two witnesses, Paulo Segura and Apostolada Palarca, were not present when Julio Carlon was shot and killed and so they did not see who killed him in that fateful night of September 11, 1960.”

The Supreme Court observed that even before leaving for Agusan respondent judge admittedly caused the Clerk of Court of Surigao del Norte to instruct the Clerk of Court of Agusan that respondent was “going there to try the murder case on April 7 and 8.” The murder case referred to could be none other than that against Alburo. The court calendar prepared for April 8, 1964, also listed for trial a homicide case (People vs. Celso, Sr., Criminal Case No. 2046) which, to judge by its number, was older than the case against Alburo, which was Criminal Case No. 2260. What caused respondent judge to give preference to the Alburo case over the older one against Celso could only be surmised. The Alburo case had already been heard in part by Judge Ortiz and it is the inveterate practice of vacation judges to shy away from cases partly tried because of the difficulty in assessing the credibility of those witnesses who have not testified before the deciding judge who has not observed their demeanor while testifying. It is true that when the Celso case was finally called on April 8, 1964, counsel asked for the continuance of the hearing; but at the time that respondent caused the Clerk of Court of Agusan to be informed that he would go there to try the case, he could not have known that the criminal case against Celso would be postponed. And when respondent finally called the Alburo case for trial, he had only read part of the record as admitted by him in the investigation. Without having read the record of the case, except only in part, respondent judge had no compunction in denying the postponement

sought by the prosecution despite the lack of timely notice to the office of the Provincial Fiscal and the absence not only of the fiscal but also of the private prosecutor who were both in Manila. He virtually compelled the special counsel of the fiscal's office to try the case over the latter's protest.

It is evident that the insistence of the respondent judge on having the prosecution handled by one who was not thoroughly familiar with the case was prejudicial to the case for the State. Moreover, respondent entered trial and decided the case without having perused the record of the case as shown by the fact that (1) he failed to take note that accused Alburo (who was out on bail) had been mainly responsible for delaying his arraignment and trial for over three years (from Sept. 11, 1960, to Nov. 14, 1963), thus rendering worthless his excuse that the accused was entitled to speedy trial; (2) he failed to discover that defense witness Placido Autor had been formerly listed in the fiscal's information as a prosecution witness but had disappeared when the prosecution opened its case, that he executed an affidavit on September 13, 1960, that he heard the accused talk with the now deceased Carlon inside the billiard hall and that he ran out when the shooting took place, then went back inside the hall and found the deceased lying down on the floor of the billiard hall, dead (Exh. K) - - all of which directly contradicted the testimony given by Autor as witness for the defense that he did not know who had been shot, a contradiction that to an unbiased mind deprives Autor to any claim to credibility; (3) respondent's decision asserts that "the Municipal Health Physician was, of course, also presented as a witness" when, as the records shows, said health officer did not testify at all. The testimony of the fourth witness for the prosecution, Dr. Manuel Ajero (who testified before Judge Ortiz), had never been transcribed until the administrative investigation was in full course, so that it was impossible for the respondent to have taken into account the evidence of Dr. Ajero. In fact, his decision acquitting the accused Alburo makes no mention of this witness at all.

The evidence of Dr. Ajero was vital in that it corroborated the testimony of the other two prosecution witnesses, Apostolada Palarca and Paulo Segura (rejected by respondent), as to the presence of accused Alburo in the billiard hall shortly before the deceased was shot. Dr. Ajero was in no way infirmed or attacked, and was entitled to full credence and, likewise, established the credibility of his two co-witnesses, against whom respondent judge could hold nothing but (a) their relationship to the wife of the victim; (b) their not being originally listed by the fiscal in the information and (c) their being contradicted by the defense witnesses, in what, in the last analysis, amounts to nothing but reverse alibis for Palarca and Segura. These objections are clearly flimsy. Said witnesses' relationship to the widow manifestly led the prosecution not to list them as witnesses in the information because anyway it had listed many others whose affidavits (attached to the original record) showed that they had actually seen what transpired. But then the accused managed to delay the case unreasonably, and, in the meantime, the eye-witnesses listed in the information had disappeared and could not be made available when the case was at long last called for trial and the prosecution was forced to present Palarca and Segura. Anyway, relationship *per se* does not render a witness unworthy of credit (*People vs. Zamora*, 59 Phil. 568; *People vs. Pardales*, G.R. L-5611, May 21, 1957; and *People vs. Asmawil*, G.R. L-18761, March 31, 1965).

As to the defense witnesses, it has been previously shown that turncoat Placido Autor (who tried to show that Apostolada Palarca was not in the billiard hall when the deceased was shot) deserved no credit, in view of his contradictory statements (Exh. K). Clemente Ranoco could not give any cogent reason why Palarca should ask him in particular to bring her bags to the bus for Butuan City. As to Eugenio Segura, father of prosecution witness Paulo Segura, who testified that his son was at home on the night of the murder, the very strangeness of a father charging his son with perjury invited close scrutiny of Eugenio's testimony by respondent judge. Had the latter done so, he would have discovered that if it were true, as testified to by Eugenio, that Paulo had to hike eight kilometers to reach school

and had to leave at 6 A.M. on Monday mornings, it would not be strange if the boy should prefer to be at his aunt's house above the billiard hall of the accused in Cabadbaran on the evening of Sunday (when the deceased was shot) in order to be fresh for his Monday classes.

The excuse proffered by the respondent judge that the accused, Rustico Alburo, was entitled to a speedy trial failed to take into account two important considerations: (1) that an accused who manages to delay his own trial for three years by dubious maneuvers is hardly one entitled to complain of the delay in the trial of his case; and (2) that the constitutional right of an accused to a speedy trial can never justify a trial judge's deciding the case on the basis of a portion of the prosecution's evidence only, entirely disregarding the testimony of an important witness.

The evidence adduced at the investigation vividly reveals to what extent the respondent judge went out of his way to accommodate the accused Alburo. He not only granted the request of an early trial without regard to older cases or to the previous delays caused by said accused, but entered trial without familiarizing himself with what had previously transpired before Judge Ortiz. He compelled the prosecution to enter trial despite lack of sufficient notice to, and absence of, the Provincial Fiscal and the private prosecutor, and promptly acquitted the accused, ignoring the affidavits in the record and the circumstances that undermined the version of the defense witnesses and without even bothering to make sure that he had before him the entire testimony of the witnesses for the prosecution. As aptly observed by the investigator, respondent judge's conduct appears characterized by "gross abuse of discretion, injudiciousness and recklessness."

Plainly, the acquittal of the accused Alburo by respondent judge was a gross miscarriage of justice, one that could not but undermine the people's faith in the impartial administration of justice, precisely because the acquittal is no longer open to review or correction, which should have prompted the respondent to scrutinize the evidence and make sure that justice was done not only to the accused but also to his victim. Although there is no evidence, as pointed out by the investigator, of any corrupt motive on respondent's part, the injury to the cause of justice and to the people's confidence in its impartial administration is by no means lessened.

After a careful consideration of the case, I agree with the Supreme Court that respondent is guilty of serious misconduct in the discharge of his judicial functions and that in order to maintain intact the public confidence in the administration of justice he should be separated from the service.

Wherefore, and upon the recommendation of the Supreme Court, Judge Teofilo B. Buslon is hereby removed from office as District Judge of Surigao del Norte effective upon receipt of a copy of this order.

Done in the City of Manila, this 8th day of December, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 30

**AUTHORIZING THE SECRETARY OF PUBLIC WORKS AND COMMUNICATIONS AND THE
DIRECTOR OF CIVIL AVIATION TO UTILIZE ALL PERSONNEL AND EQUIPMENT IN THEIR
RESPECTIVE OFFICES TO MEET EMERGENCIES.**

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby authorize the Secretary of Public Works and Communications and the Director of Civil Aviation to utilize all personnel and equipment in their respective offices, regardless of official stations, to respond to emergencies, disasters or mishaps such as breaking of dams, airplane disasters and the like.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 31
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE SECOND MINISTERIAL
CONFERENCE ON THE DEVELOPMENT OF SOUTHEAST ASIA.

WHEREAS, The Philippine Government offered to host the Second Ministerial Conference on the Development of Southeast Asia which has been scheduled for April, 1967;

WHEREAS, the offer was accepted by the participating countries at the First Ministerial Conference held at Tokyo in April, 1966; and

WHEREAS, to ensure the success of the Conference, there is a need to create a National Committee to take charge of all the necessary arrangements for the Conference;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby designate the following to compose the Committee and represent the Philippine Government at the Conference:

- | | |
|--|-----------------|
| 1. The Secretary of Finance | – Chairman |
| 2. The Chairman, National Economic Council | – Vice-Chairman |
| 3. The Secretary of Commerce and Industry | – Member |
| 4. The Secretary of Public Works and Communications | – Member |
| 5. The Undersecretary of Foreign Affairs | – Member |
| 6. The Director General, Presidential Economic Staff | – Member |
| 7. The Undersecretary of Education | – Member |
| 8. The Undersecretary of Agriculture and Natural Resources | – Member |

The Committee shall have a Secretariat which is authorized to organize the necessary working committees and to promulgate plans to carry out the purpose for which the Committee has been created and to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions. The Secretariat shall be headed by a Secretary-General who will be assisted by two (2) Deputy Secretary-Generals.

Undersecretary of Commerce Fernando Campos is hereby designated as Secretary-General and Assistant Secretary Agustin P. Mangila of the Department of Foreign Affairs and Executive Director Rizalino Pablo of the National Economic Council as Deputy Secretary-Generals.

The release of the sum of ONE HUNDRED THOUSAND PESOS (₱100,000.00) to defray the expenses of the Conference is hereby authorized.

Done in the City of Manila, this 18th day of December, in the Year of Our Lord nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1966). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 32
CREATING A COMMITTEE TO TAKE CHARGE OF THE DISPOSAL OF VALUABLE
GOVERNMENT PROPERTIES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to take charge of the disposal of valuable government properties not needed for any public purpose or which may be substituted with others without detriment to the public interest, composed of the following:

The Secretary of Finance	Chairman
The Auditor General	Member
The Executive Secretary	"
The Secretary of General Services	"
The General Manager, Government Service Insurance System.....	"

The Committee shall take an inventory of real properties of the Government which may be disposed of to generate capital for the Land Bank and other vital programs of the Government, and shall conduct public biddings for the disposition thereof, by sale or lease, as the law on the matter may provide. Any contract disposing of such property or properties executed by the Committee through its chairman shall be subject to approval by the President and, where required by law, the Congress.

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its task.

The Committee shall submit to the President a report of its activities from time to time.

Done in the City of Manila, this 7th day of February, in the year of Our Lord, nineteen hundred and sixty-six.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 33
CREATING A COMMITTEE TO INVESTIGATE ALLEGED UNACCOUNTED FUNDS AND
ILLEGAL INVESTMENTS OF THE HOME FINANCING COMMISSION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to investigate alleged unaccounted funds and illegal investments of the Home Financing Commission, composed of the following:

Mr. Emilio Gancayco	
Department of Justice	----- Chairman
Mr. Alipio Calmacio	
Presidential Economic Staff	----- Member
Mr. Marcelino Yumol	
General Auditing Office	----- Member

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating body under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall submit its report and recommendation to the President of the Philippines as soon as possible.

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 34

AMENDING ADMINISTRATIVE ORDER NO. 31 DATED DECEMBER 18, 1966 CREATING
A NATIONAL COMMITTEE TO TAKE CHARGE OF THE SECOND MINISTERIAL
CONFERENCE ON THE ECONOMIC DEVELOPMENT OF SOUTHEAST ASIA.

The composition of the Committee created under Administrative Order No. 31, dated December 18, 1966, is hereby amended to read as follows:

- “1. The Secretary of Finance ----- Chairman
2. The Chairman, National Economic Council ----- Vice-Chairman
3. The Secretary of Commerce and Industry ----- Member
4. The Secretary of Public Works and Communications ---- Member
5. The Undersecretary of Foreign Affairs ----- Member
6. The Undersecretary of Agriculture ----- Member
7. The Undersecretary of Education ----- Member
8. The Director-General, Presidential Economic Staff ----- Member
9. The Chairman, National Science Development Board- - - Member”

The fifth paragraph is hereby amended to read as follows:

“The Committee shall have a Secretariat which is authorized to organize the necessary working committee; to promulgate plans and carry out the purpose for which the Committee has been created; and to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations for financial and such other assistance as it may need in discharging its duties and functions, that the hosting of the Second Ministerial Conference for the Economic Development of Southeast Asia may be a success.”

The sixth paragraph is hereby amended to read as follows:

“The Conference Secretariat shall be composed of the following:

- | | |
|--|--|
| Secretary General | – Undersecretary Fernando Campos (DCI) |
| Deputy Sec. General | – Ambassador Agustin P. Mangila (DFA) |
| Deputy Sec. General | – Exec. Director Rizalino Pablo (NEC) |
| Special Consultant on Conference Matters | – Deputy Director General Alejandro Melchor, Jr. (PES) |
| Action Officer | – Mr. Ruperto G. Jugueta (DCI) |
| Action Officer | – Mr. Ronaldo B. Zamora (PES) |
| <u>Committee Chairmen:</u> | |
| Technical | – Director Constancio Ancheta (NEC) |
| Exhibits | – Mr. Juan Samson (DANR) |

Conference Affairs	– Ambassador Tomas Benitez (DFA)
Accommodations	– Dep. Commissioner Agosto Resurreccion (BTTI)
Arrangements	– Undersecretary Manuel V. Feliciano (DPWC)
Supply/Fiscal	– Ambassador Eduardo Geslani (DFA)
<u>Vice-Chairmen:</u>	
Transportation	– Mr. Rodolfo Y. Sagun (NEC)
	– Mr. Meynardo B. Garalde (DCI)
	– Commissioner Romeo F. Edu (LTC)
Public Services	– Mayor Norberto Amoranto (Q. City)
<u>Vice-Chairmen:</u>	– Mr. Primitivo de Leon (Maharnilad)
Communications	– Lt. Col. Magtangol N. Ongchangco (AFP)
Medical Services	– Dra. Purification Luis-Cruz (DCI)
Liaison & Protocol	– Ambassador Alberto Katigbak (DFA)
<u>Vice-Chairmen:</u>	– Mr. Salvador Pena (PTTA)
	– Dr. Mariano P. Ramiro (NEC)
Press Coordination	– Ambassador Guillermo V. Sison (DFA)
Social Affairs	– Mrs. Carmen Laureano (BTTI)
Gifts & Souvenirs	– Dep. Administrator Hilarion A. Pilapil (NACIDA)
Security	– Brig. Gen. Richardo Papa (MPD)
Vice-Chairmen	– Col. Sofronio Bayron (PC)
	– Col. Tomas Karingal (QCPD)

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 34-A

CREATING A COMMITTEE TO TAKE CHARGE OF THE BIDDING AND AWARD, AND/OR
ENTER INTO NEGOTIATED CONTRACTS, FOR THE PROCUREMENT OF FERTILIZERS
AND OTHER AGRICULTURAL CHEMICALS ON BEHALF OF THE GOVERNMENT AND
GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Committee to take charge of the bidding and award, and/or enter into negotiated contracts, for the procurement of fertilizers, insecticides, pesticides, rodenticides, and other agricultural chemicals for and in behalf of the Government and government-owned or controlled corporations:

The Committee shall be composed of the following:

- | | |
|----------|--|
| Chairman | – Placido L. Mapa, Jr. Director General, Presidential Economic Staff; |
| Member | – Vicente O. Valley, Administrator Agricultural Credit Administration; and |
| Member | – Jesus Iriarte, Deputy Auditor General. |

The Committee shall take note of the specific needs of the Government and government-owned or controlled corporations and shall conduct the bidding and make awards, or enter into negotiated contracts, on the basis thereof, all in accordance with applicable law, rules and regulations.

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its work.

The Committee shall submit to the President a report of its activities and accomplishments at the soonest time possible.

Done in the City of Manila, this 16th day of February, in the year of Our Lord, nineteen hundred sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 35
SUSPENDING MR. JOSE R. VILLARAMA FROM OFFICE AS PROVINCIAL GOVERNOR OF
BULACAN.

This is an administrative case against Provincial Governor Jose R. Villarama of Bulacan who stands charged by Provincial Board Members Manuel Lizaso, Felipe Buencamino and Amado Pineda of said province with dishonesty, oppression and grave misconduct. The charges were formally investigated by Dr. Gaudencio Garcia as special investigator who found respondent guilty thereof.

The Investigator found the following facts established:

I. Dishonesty

(a) That respondent governor was authorized by the provincial board of Bulacan to transfer the ₱2 million trust fund of the province deposited with the Philippine National Bank to any private commercial bank; that after securing, through his personal follow-up, the approval of the Department of Finance and the General Auditing Office, respondent selected the Philippine Commercial and Industrial Bank where the ₱2 million trust fund was deposited on June 9, 1964; that all along since January 16, 1964, there had been pending with the office of the City Fiscal of Manila a complaint for estafa filed by the Philippine Commercial and Industrial Bank against said respondent; that before the actual deposit was made, there was a negotiation between respondent and the bank for the amicable settlement of the estafa case against the respondent involving the amount of ₱182,195.98; and that respondent's selection of the Philippine Commercial and Industrial Bank which is prosecuting him for the crime of estafa was with expectation of some benefit to him in return in relation to his estafa case, which is in violation of the Anti-Graft and Corrupt Practices Act (Rep. Act No. 3019).

(b) That respondent, through the provincial cashier, received the sum of ₱40,000 from the Philippine Commercial and Industrial Bank in return for the ₱2 million time deposit; that the provincial cashier, with the knowledge and consent of the provincial treasurer, deposited the said sum in his office covered by Official Receipt No. 2469078 dated June 10, 1964, which reads: "Received from Dr. Jose Villarama x x x ₱40,000 x x x Donation to Province (later changed to "deposit") x x x For Provincial Governor's project;" that this deposit was treated by the office of the provincial treasurer as the personal and private fund of respondent who alone could withdraw the same; and that all withdrawals from said deposit on October 19, November 9, December 1, 11, 21 and 29, 1964, and February 5, 1965, totalling ₱40,000, in payment to Buenaventura Cruz for the construction of the provincial canteen Nos. 1 and 2, certified by respondent as having been spent, were not authorized by the provincial board; that respondent failed to render any accounting and corresponding report on the exact amount he had received from the bank and the benefit, if any, for the renewal of the deposit; and that respondent treated the ₱40,000 fund in the office of the provincial treasurer as if it were his private property because he entered into a contract for the construction of a four-door canteen without the intervention of the provincial board and without benefit of public bidding, and upon its completion

respondent allowed someone to deposit a three-month advance rental, also as if the canteen were his private property.

(c) That despite the provincial board's resolution appropriating ₱4,000 for the hauling of 621 pieces of confiscated logs which were to be used for school purposes pursuant to a directive of the Office of the President and resolution advising the provincial treasurer that any disposition of the logs found within the compound of the capitol building should be decided by the board and brought to the attention of respondent, and notwithstanding the latter's certification that the logs were provincial property, and the provincial treasurer's request from respondent to submit to his (treasurer's) office the original copies of the requisition and vouchers covering the issue of lumber to different schools so as to write off the lumber issued from the accounts of the province, respondent did not render or make any accounting of the distribution of the pieces of lumber sawn out of the confiscated logs to the provincial treasurer who under the law "shall have custody and supervision of all government funds and properties" (Sec. 2080, Rev. Adm. Code) nor did he relay any information to the provincial board despite its resolutions passed on September 15, 1965, in its regular session that the disposition of logs in question must be with the approval of the provincial board; that the logs sawn in the Meycauayan Sawmill were mainly distributed in the first district of Bulacan where respondent's wife was then the Liberal Party candidate for representative in the last election; and that the diversion of some lumber for other purposes than for schools for which the logs were intended (like the repair and widening of local bridges, for constabulary barracks, use of religions association [Iglesia Filipina Independiente] and for irrigation purposes), constitute misapplication or diversion of public properties.

(d) That upon respondent's initiative a hollow block factory was established with the provincial board appropriating ₱10,000 for the purchase of equipment and machinery for said factory for which the provincial treasurer purchased the needed machines; that he designated his technical assistant, Alberto Violago, to supervise the factory, utilizing the services of six to twelve prisoners daily in the manufacture of hollow blocks; that no accounting regarding the factory or disbursement was ever submitted to the provincial treasurer's office; and that he failed to render any accounting on the operation of the factory, where government dump trucks were used in ordering and hauling materials needed and in the disposition of the hollow blocks manufactured, which constitute illegal use of government properties for his private purpose, albeit the materials utilized may have come from his own private funds.

II. Oppression

(a) That respondent had the session hall for the provincial board at the capitol building locked by the Secretary of the Board who would not open it unless ordered by him on regular session days except in those rare instances when he was in attendance; that he told the provincial board that the question of opening and closing the session hall was within his authority; and that he attended not more than five or six regular sessions from June 9, 1965, to July 21, 1966, and in three regular sessions he refused to accept motions duly seconded for the opening of the session hall on regular session days so that said motions did not appear in the minutes of the board of the particular day.

(b) That he delayed the signing of the vouchers of the members of the board for their gasoline allowance, thus preventing them from collecting such allowance on the last day of the month.

III. Grave Misconduct

(a) That respondent refused to turn over the twenty-four (24) Toyota dump trucks (purchased from Road and Bridge Funds) to the office of the Highway District Engineer and failed to erase the

markings on the twenty-four (24) Toyota dump trucks “Kilusang Pampaunlad ng Bulakan” under which were written ‘Governor Jose R. Villarama ordered by him in violation of established rules and regulations and of General Circular No. 50 dated February 28, 1958, of the Auditor General which require that government vehicles should be marked solely with “For Official Use Only” under which should be written the name of the office or bureau to which they belong.

(b) That notwithstanding his knowledge of the decision of the Supreme Court in the case filed against him (*Castillo vs. Villarama et al.*, G.R. No. 24649, prom. Sept. 18, 1965), declaring valid and legal the actuation of the provincial board in its regular sessions of June 2 and 9, 1965, attended by only three board members (with respondent and vice-governor absent), respondent authorized or allowed the payment of salaries of employees whose positions had been abolished by the board, including those of his office staff, and he did not honor the resolutions passed in a regular session of the board attended by three board members, like Resolution No. 64 adopted on February 9, 1966, requiring the turnover of the twenty-four (24) Toyota trucks to the Highway District Engineer, and Resolution No. 65 to suspend the work on public works authorized by Resolution of August 25, 1965, not to start public works not then commenced and to revert unspent sums to where they belonged.

(c) That respondent misused his authority or discretion for not taking administrative proceedings against Liberal Party Mayor Roberto Chico of Baliwag, Bulacan, for malversation of public funds through falsification of public documents based on the sworn complaint, with a similar complaint filed against said mayor with the office of the provincial fiscal; that, in contrast, and contrary to administrative practice of giving a respondent full opportunity to be heard in an administrative case, respondent governor immediately filed an administrative charge against Nacionalista Party Mayor Bienvenido Castillo of Pulilan, Bulacan, and ordered his suspension based on the incident near the municipal building in which a certain Carlos Espino was wounded, which shows that he practiced a double standard of justice in dealing with administrative cases affecting local officials of different political parties.

After a review of the records, I agree with the findings of the special investigator. The nature of the irregularities committed, in my opinion, warrants at least suspension from office. Wherefore, Mr. Jose R. Villarama is hereby suspended from office as Provincial Governor of Bulacan, for six (6) months without pay, effective upon receipt of a copy hereof.

Done in the City of Manila, this 22nd day of February, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RAFAEL M. SALAS**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). [Administrative Order Nos.: 1 - 199]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 36
CREATING A COMMITTEE TO DISPOSE OF THE TOBACCO STOCK OF THE PHILIPPINE
VIRGINIA TOBACCO ADMINISTRATION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee composed of the following:

Secretary of Finance	Chairman
Director-General, PES	Member
Auditor General	"

to undertake the immediate disposal by sale at public bidding of all the tobacco stock of the Philippine Virginia Tobacco Administration. The committee shall render a report on such disposal.

The Officer-in-Charge of the Philippine Virginia Tobacco Administration shall be the Executive Secretary of the Committee.

The Committee shall have the power to organize a staff of personnel to assist it in the discharge of its function.

Done in the City of Manila, this 25th day of February, in the Year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 37
CREATING THE UPPER PAMPANGA RIVER PROJECT COORDINATING COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the Upper Pampanga River Project Coordinating Committee composed of:

The Chairman, Board of Directors, National Power Corporation	Chairman
The General Manager, National Power Corporation	Member
The General Manager, National Waterworks and Sewerage Authority	Member
The Director, Bureau of Public Works.....	Member
The Administrator, National Irrigation Administration	Member

In order to hasten the construction of the Upper Pampanga River Project, the Coordinating Committee is hereby empowered:

1. To negotiate for and obtain, for and in behalf of the National Power Corporation or some other appropriate agency or instrumentality, loans to finance the multipurpose project;
2. To determine, allocate and apportion among the participating agencies such as the National Power Corporation, the National Waterworks and Sewerage Authority, the Bureau of Public Works and the National Irrigation Administration, their proper participation in the project in terms of cost and other pertinent responsibilities;
3. To insure compliance by the participating agencies and instrumentalities of their respective responsibilities as determined by the Coordinating Committee, subject to the provisions of applicable laws;
4. To do everything necessary and expedient for the early completion of the project; and
5. To submit monthly progress report to the President.

Done in the City of Manila, this 13th day of March in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 38
REVOKING ADMINISTRATIVE ORDER NO. 152 CONCERNING MR. ANGEL V. CAMPOY,
CITY JUDGE OF DUMAGUETE CITY.

By virtue of Administrative Order No. 152 dated December 3, 1965, Mr. Angel V. Campoy was removed from office as Judge of Dumaguete City for having been found guilty of falsifying a public document in order to acquire a piece of land.

The respondent has sought reconsideration of the decision, and the Department of Justice recommends favorable action thereon, as the evidence is insufficient to support the finding that respondent was guilty of falsification, in which I concur.

Respondent's removal under the aforesaid administrative order was premised of the following findings:

“ . . . It appears that on June 3, 1959, respondent prepared a document entitled ‘Extrajudicial Settlement and Sale’ where Sixto Abol and his seven (7) children, one of them Esperanza Abol, agreed, among other things, to sell to respondent a piece of land owned by them in common, identified as Lot No. 2566, situated at Sibulan, Negros Oriental, and covered by Original Certificate of Title No. O-V-691. In view of Esperanza's refusal to sell her share of the land and to sign the document transferring the property to respondent, the latter deleted her name appearing on the deed of conveyance already signed by her father and six (6) others to make it appear that the latter were the only co-owners of Lot No. 2566, filled the blank spaces of the acknowledgment of the deed reserved for the residence certificates of the vendors with those issued to persons other than the vendors and had it ratified before a notary public.

“On June 11, 1959, respondent presented the falsified deed of conveyance in the Office of the Register of Deeds in Dumaguete City, on the strength of which Original Certificate of Title No. O-V-691 was cancelled and Transfer Certificate of Title No. T-7272 issued to the seven (7) co-owners, with Esperanza Abol excluded. On the same day, Transfer Certificate of Title No. R-7276 cancelling Transfer Certificate of Title No. 7272 was issued in the name of respondent as registered and sole owner of Lot No. 2566.”

Although it is undisputed that respondent cancelled the name of Esperanza Abol in the document in question and initialed the cancellation, there is no evidence to show that he thereby intended to make it appear that Esperanza Abol was not a co-owner of the land referred to in the instrument. Respondent's intention, it is inferred, in cancelling her name was to make clear her failure to sign the document, which cancellation, after all, did not alter the document in any material way. Moreover, there is evidence to show that the cancellation was at her own request, as she was promised by her

father a larger share in a bigger property owned in common by her with her father and brothers. If it were respondent's intention, as previously found, to conceal the fact that Esperanza Abol was a co-owner of the property conveyed and to facilitate its sale to him through a flawless document, it would have been convenient for him to prepare another document without her name. The fact that he used the same document with Esperanza's name merely cancelled and initialed by him lends credence to his declaration that Esperanza agreed to forego her share in that property for the reason already stated.

Evidence is likewise insufficient to support the finding that respondent filled the blank spaces of the acknowledgment of the deed reserved for the residence certificates of the vendors and had the same ratified or acknowledged before a notary public. Although reliance was placed on the testimony of the notary public who was a witness for complainant, the witness did not state that he saw respondent fill up the aforesaid blank spaces, but merely assumed that he did because he sent the document. Apparently, the notary public had to find a scapegoat for his own neglect in ratifying the document without verifying the genuineness of the entries regarding the residence certificates of the parties executing the document. Hence, his testimony imputing the wrongful act to respondent should be considered with caution.

In the light of the foregoing, I am satisfied that ample basis exists for granting the petition for reconsideration. Wherefore, Administrative Order No. 152 dated December 3, 1965, is hereby reconsidered and revoked and respondent exonerated of the charge.

Done in the City of Manila, this 14th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 39
REMOVING MR. AMANDO G. LAZARO FROM OFFICE AS MUNICIPAL JUDGE OF
BALUNGAO, PANGASINAN.

This is an administrative case against Municipal Judge Amando G. Lazaro of Balungao, Pangasinan, who is charged with having approved a falsified bail bond in Criminal Case No. 610 of his court. The case was investigated by the District Judge.

The records show that one Irineo Pimentel was charged with the crime of robbery in Balungao, Pangasinan. For his provisional release, a bail bond was filed, subscribed and sworn to before respondent on June 22, 1961, and approved by him on the same date. The bail bond offered as security consisted of several parcels of land supposedly owned by Samuel Imbuido, Camilo Ducusin, Miguel Fajardo, Aniceto Landingin and Teodoro Salvador, allegedly all of San Fabian, Pangasinan. Criminal Case No. 610 was then forwarded to the Court of First Instance of Pangasinan (at Tayug) for further proceedings, and when the initial hearing was set for March 1963, the sheriff's office was ordered by the court to notify the bondsmen to produce the accused.

A deputy sheriff went to San Fabian to notify the bondsmen, but when he confronted the persons mentioned in the bail bond as bondsmen, Imbuido and Ducusin denied having signed the bail bond or of even being property owners. Fajardo's and Landingin's participation as bondsmen was also discredited by their respective wives who stated that their signatures appearing in the bail bond were forged. The fifth, supposed bondsman, Toribio (not Teodoro as appearing in the bond) Salvador, was not contacted because he lived at a distant barrio near the mountains, but a former mayor of San Fabian who personally knew Salvador's signature told the deputy sheriff that the signature on the bond was a forgery.

The Court, convinced that a serious irregularity had been committed, conducted an investigation and ordered the Provincial Fiscal's office to file the corresponding administrative charge or charges against respondent.

During the formal hearing, Imbuido, Ducusin and Fajardo testified, as reported in the sheriff's return, that they did not sign the bail bond; that they did not know the accused Pimentel; that Imbuido and Ducusin were not property owners; that the property allegedly offered by Fajardo as collateral was not owned by him. The deputy sheriff who served the notice of the hearing was also presented and confirmed the statement in his return.

Respondent in his defense maintains that one Atty. Mohamito Libunao, who is well known to him, approached him in the company of certain persons who represented themselves as Imbuido, Ducusin, Fajardo, Landingin and Salvador and proffered an already prepared bail bond; that after inquiry as to their identities, respondent administered the oaths and took for granted their alleged signatures and thereafter approved the bond. Respondent further testified that, as required by Department of Justice regulations, he asked Atty. Libunao to produce a certificate of the municipal treasurer of San Fabian regarding payment of taxes on the lands described in the bond but that he did not require the alleged bondsmen to exhibit their residence certificates, the corresponding data already appearing in the bond.

From respondent's own lips, it is evident that he was negligent in admitting the bail bond which turned out to be falsified. He did not exercise the necessary circumspection which should characterize a judicial mind. Thus, he failed to retain the alleged certificate of the municipal treasurer of San Fabian regarding the payment of taxes on the lands offered as collateral. Since respondent insists that the bondsmen were not known to him, he should have retained a copy of the certificate for the record as proof that the bondsmen were the owners of the property described in the bond. Respondent should have also required the bondsmen to produce or show some evidence of ownership of the lands, such as tax declarations.

Moreover, as observed by the Secretary of Justice:

“... although respondent declared that he did not require the bondsmen to produce their residence certificates, an examination of the bail bond in question tends to show that respondent himself wrote some of the data concerning such residence certificates. As filled out, the board is partly typewritten and partly in handwriting. Most of the handwriting is in green ink, including respondent's signature, indicating that the handwriting is that of respondent. This handwriting is similar to that in the order for the release of the accused under bail, as filled out partly in handwriting and signed by respondent.

“The handwritten items in the bail bond, excluding the signatures of the accused and the bondsmen, consist of the name of the accused in the title of the case, the total value of the properties submitted as security, the amount of the bond in words and figures, the date of the bond and the numbers and dates of the residence certificates of two bondsmen, Teodoro Salvador and Aniceto Landingin.”

In the view of the foregoing, I find respondent guilty of negligence in the performance of his duties. His negligence speaks ill of the diligence and faithfulness in the discharge of the duty expected of him. What is more, he indirectly contributed to the falsification of the bail bond resulting in the delay of the disposition of the criminal case involved.

Wherefore, and upon recommendation of the Secretary of Justice, respondent is hereby dismissed from office as municipal judge of Balungao, Pangasinan, effective upon receipt of a copy of this order.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 40
REMOVING MR. CRISPIN N. MENCHAVEZ FROM OFFICE AS MUNICIPAL JUDGE OF
SANTA FE, CEBU.

This is an administrative case against Mr. Crispin N. Menchavez, Municipal Judge of Santa Fe, Cebu for gross ignorance of the law and for dishonesty arising from his actuations in connection with Criminal Case No. 379 of his court.

The records show that Jesus Fariolen, Melanio Almocera and German Batiancila were charged on October 18, 1963, before respondent's court for illegal fishing with the use of dynamite. The case was docketed as Criminal Case No. 379. Pleas of guilty were entered by the accused and they were thus convicted and sentenced to imprisonment for six months each. On December 14, 1963, respondent requested the constabulary officer-in-charge of the Santa Fe Police Force (said municipality then being under the control of the Philippine Constabulary) that prisoner Almocera be assigned to respondent's office. Again, on January 22, 1964, respondent requested that he be given custody over prisoner Fariolen so that the latter could work in respondent's office. Both requests were, without much delay, complied with.

It appears, however, that the prisoners did not work in the court's offices nor even in the municipal building, but were brought by respondent to his house in Sogod, Cebu where they worked on respondent's farm and piggery.

From the above uncontroverted facts, it is apparent that respondent was mistaken in taking cognizance of Criminal Case No. 379 which charged an offense carrying a maximum penalty of imprisonment for five years and a fine of five thousand pesos, whereas respondent's jurisdiction is limited to offenses penalized by imprisonment of not more than three years or a fine of not more than three thousand pesos, or both such imprisonment and fine.

Respondent maintains that his court had jurisdiction over the case and cites Section 87 of the Judiciary Act of 1948, as amended by Republic Act No. 3828, which provides:

“Justices of the peace in the capitals or provinces and sub-provinces and judges of municipal courts shall have like jurisdiction as the Court of First Instance to try parties charged with an offense committed within their respective jurisdictions, in which the penalty provided by law does not exceed prison correccional or imprisonment for not more than six years or a fine not exceeding six thousand pesos or both, and in the absence of the district judge shall have like jurisdiction within the province as the Court of First Instance to hear applications for bail.”

In effect, respondent argues that the phrase “judges of municipal courts” in the above cited provision, refers to justices of the peace of municipalities now called municipal judges.

This defense is devoid of merit. It must be remembered that the former justices of the peace of municipalities are now known as municipal judges and the former municipal judges of chartered cities are referred to as city judges. This being the case, when the aforecited Section 87 of Republic Act No. 296, as amended, mentions justices of the peace in the capitals of provinces and sub-provinces and “judges of municipal courts” as having concurrent jurisdiction with Courts of First Instance in trying offenses carrying penalties not exceeding six years of imprisonment and a fine of six thousand pesos, such as illegal fishing with the use of dynamites, justices of the peace of municipalities, now municipal judges, are not included therein and therefore are not clothed with such jurisdiction.

On the matter of having exploited prison labor for use at his farm and piggery, for a period of around three months, respondent offers no denial nor defense.

Two other errors were committed by respondent in Criminal Case No. 379 of his court. Respondent sentenced the accused to only six months imprisonment whereas the minimum penalty for the offense is imprisonment for one year and six months and a fine of ₱1,500. The records further disclose that respondent committed the accused upon conviction to the municipal jail, although under Sections 1739 of the Administrative Code, as amended, they should have been confined at the provincial jail since their imprisonment was for more than thirty days.

In view of the foregoing, I find respondent guilty of ignorance of the law and dishonesty. Respondent’s ignorance of his criminal jurisdiction cannot be viewed lightly because having been in office since 1956, he ought to know that his authority in cases of illegal fishing with explosives is confined to preliminary investigation. Further, respondent’s exploitation of prison labor for his personal gain and benefit amounted to dishonesty.

Wherefore, Mr. Crispin N. Menchavez is hereby removed from office as Municipal Judge of Santa Fe, Cebu, effective upon receipt of a copy of this order.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RAFAEL M. SALAS**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 41
REMOVING MR. VICENTE M. SALUMBIDES FROM OFFICE AS MUNICIPAL JUDGE OF
TAGKAWAYAN, QUEZON.

This is an administrative case against Municipal Judge Vicente M. Salumbides of Tagkawayan, Quezon for neglect and dereliction of duty.

From the records, it appears that respondent conducted the preliminary investigation of Criminal Case No. 1535 of his court charging Feliciano Balais with qualified seduction. The complainant and offended party therein is the same complainant herein. After the termination of the second stage of the preliminary investigation on November 21, 1961, counsel for complainant was informed on February 21, 1962, by respondent that the case would be transmitted to the Court of First Instance of Quezon Province. On May 10, 1962, counsel for complainant verified that the records of the case had not been sent either to the Court of First Instance or the Office of the Provincial Fiscal, thus he wrote respondent on May 18, 1962, requesting that the records be immediately transmitted to the Court. Respondent did not answer this letter.

On July 18, 1962, counsel for complainant again inquired from respondent about the records of the case and was informed that the latter gave the papers to the chief of police of Tagkawayan but that the same could not be transmitted because of the lack of available postage stamps. However, on August 17, 1962, respondent informed counsel for complainant that the records had long been sent to Gumaca, Quezon, thus the latter wrote to the clerk of court requesting him to show the "records to the Assistant Provincial Fiscal assigned therein so that proper action can be taken." The clerk of court, however, answered that the records of the case had, not been received by his office. The chief of police also stated on September 8, 1962, that he does not remember having received from respondent the records in question. Up to August 24, 1964, at least, the date when the Presiding Judge of the Court of First Instance of Quezon at Gumaca, and also the Investigating Judge of this case submitted his report, the records of the criminal case had not been transmitted by respondent.

Respondent, despite proper notice, neither submitted an answer nor appeared at the hearings. In fact, numerous postponements of the hearings were had just to accommodate him but in vain did the court await even the courtesy of an answer to the charges or an explanation of the delay in the transmittal of the records of Criminal Case No. 1535 of his court.

Respondent dismally failed in the discharge of his duty imposed by Section 12, Rule 112 of the Rules of Court which provides:

"SEC. 12. Transmission of record – Upon the conclusion of the preliminary investigation, the judge or corresponding officer shall transmit without delay to the clerk of the Court of First Instance having jurisdiction of the offense the record of the case, including x x x"

The Investigating Judge was therefore correct, when appreciating the evidence, he stated:

“After a perusal of the whole record there is no doubt that as far back as November 21, 1961, the preliminary investigation of the case for qualified seduction against Feliciano Balais filed by complainant Emilio Perez was terminated; but up to this date the respondent has not forwarded the record to this Court. x x x No reason whatever has been given by the respondent for the delay notwithstanding the repeated demands of the complainant and the orders of the Court, hence the conduct observed by the respondent is highly reprehensible and seriously reflects on his attitude, his conduct and behavior as a judicial officer.

“Considering the nature of the criminal case submitted to him for preliminary investigation, he should have taken into account the fact that the aggrieved party is a poor servant girl or domestic who apparently had been abused by the son of her master. The obligation was therefore greater on his part to be a little more considerate in such a case x x x.”

Even respondent’s conduct in the course of the proceedings is equally reprehensible and censurable demonstrating as it does his contemptuous disregard of the judiciary to which he belongs. Three orders of the district judge requiring him to answer the complaint before the investigation began were totally ignored; twice the investigation was postponed at his mere telegraphic request but neither did he appear in court the third time the case was set for hearing as on several times thereafter notwithstanding previous orders sent to him either to answer the complaint or to present his evidence.

In view of the foregoing, I therefore find respondent guilty of gross neglect and wanton dereliction of duty rendering him unfit to continue in office as a judge.

Wherefore, Mr. Vicente M. Salumbides is hereby removed from office as Municipal Judge of Tagkawayan, Quezon, effective upon receipt of a copy hereof.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 42
SUSPENDING MR. ALFREDO C. MABBAYAD FROM OFFICE AS MUNICIPAL JUDGE OF
ROXAS, ISABELA.

This is an administrative case against Municipal Judge Alfredo C. Mabbayad of Roxas, Isabela, and cadastral clerk Felix B. Bulan of the Court of First Instance of Ilagan, same province, for dishonesty and dereliction of duty.

Respondent Bulan being under the jurisdiction of the Commissioner of Civil Service who had already dealt with him administratively by separating him from the service, this decision will be confined to the case of respondent Judge Mabbayad.

The District Judge, who investigated the charges, found respondent Judge not guilty of dishonesty for having allegedly exacted a fee of ₱1 from each claimant of non-contested lots in cadastral proceedings before his court, it appearing from the joint certification of thirteen (13) lawyers that the money was given voluntarily by them as part of their attorneys' fees to private stenographers employed by them to take notes of the proceedings on account of the failure of the government to furnish court stenographers for the purpose.

Regarding the other charge, the Investigating Judge and the Secretary of Justice, respectively, found respondent guilty of gross negligence and dereliction of duty for allowing Bulan, his cadastral clerk, to prepare the decisions in certain cadastral proceedings and signing them without conducting actual hearings thereon, which led to the erroneous adjudication of lots to persons other than the lawful claimants thereof. Thus, Lot No. 7823 was awarded to Simplicio Alejandro instead of Marcelino Leal, while Lot No. 4781 was adjudicated to the heirs of Bernabe Lintag and not to claimant Benigno Lagundimao. As to Lot No. 3385, respondent likewise admitted that its adjudication in favor of Bulan and Melanio Gumpay (the original claimant), as prepared by Bulan himself, was erroneous. Concerning the adjudication of Lot No. 5014 to a dead person, respondent's explanation that the latter anyhow was represented by her son is untenable, considering that he should have adjudicated the lot to the heirs of the deceased.

Respondent cannot obviously exculpate himself on the grounds that the erroneous decisions were prepared by Bulan, that there were plenty of cadastral cases to be disposed of and that he was able to readjudicate the lots in question to their rightful claimants. As cadastral judge, respondent was charged with exclusive responsibility for making the adjudications. While he could avail himself of Bulan's services in the preparation of cadastral decisions, it was his bounded duty to scrutinize the same and correct any possible errors contained therein before signing them. His failure so to do, which resulted in the wrong adjudication of the aforesaid lots, constitutes gross negligence in the performance of duty.

Wherefore, respondent is hereby suspended from office for three (3) months without pay and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 43

REVOKING ADMINISTRATIVE ORDER NO. 161 DATED DECEMBER 13, 1965,
CONCERNING MUNICIPAL JUDGE EMILIO STA. ROMANA JR. OF LAUA-AN, ANTIQUE.

Under Administrative Order No. 161 dated December 13, 1965, Municipal Judge Emilio Sta. Romana Jr. of Laua-an, Antique, was suspended from office for one (1) month with reprimand and warning for ignorance of the law in failing to commit to jail the accused after their conviction and allowing fifteen (15) days to elapse before ordering their arrest, thus enabling them to evade sentence.

Commenting on respondent's request for reconsideration, the Undersecretary of Justice justifies the action taken by respondent judge as being in accordance with Circular No. 7 dated January 23, 1963, of the Department of Justice, advising all judges of Courts of First Instance of the correct practice which would allow the accused provisional liberty under his original bail bond even upon the promulgation of a judgment of conviction until the judgment becomes final and executory or the accused appeals and files an appeal bond. The Undersecretary admits that the matter of procedure treated in said Circular No. 7 is by no means settled. However, he states, even assuming that respondent judge erred in failing to commit the accused to custody immediately upon the promulgation of the judgment against them, "the fact that remains that he [respondent] erred on a moot question of law over which even judges of superior courts differ. It would seem that to brand him ignorant of the law and suspend him from office therefor under the facts herein stated, was hardly in consonance with fairness and justice."

In the light of the above observations, and after a restudy of the case, I am satisfied that sufficient justifications exist for absolving respondent judge.

Wherefore, and upon the recommendation of the Undersecretary of Justice, Administrative Order No. 161 dated December 13, 1965, is hereby set aside and Municipal Judge Emilio Sta. Romana Jr. exonerated from the charge against him.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 44
REMOVING MR. FERNANDO B. FUENTES, JR. AS MUNICIPAL JUDGE OF NUNUÑGAN,
LANAO DEL NORTE.

This is an administrative case against Municipal Judge Fernando B. Fuentes, Jr. of Nununigan, Lanao del Norte, for dishonesty arising out of his acts as a practising lawyer.

This case arose from a traffic accident involving a jeep owned by Lucio Macalam, wherein Lemuel Holmas, son of Jose Holmas, complainant herein, lost his life and wherein Nicetas Salaan, co-passenger of Lemuel Holmas in the jeep, was slightly injured. In his complaint, Jose Holmas alleges that respondent misappropriated ₱1,300 paid to him (respondent) by Lucio Macalam, the owner of the jeep, for the amicable settlement of Holmas' claim for damages.

Respondent centers his defense on the thesis that out of the sum of ₱3,000 paid to him by the jeep owner for payment of all damages arising out of the accident, complainant Jose Holmas and his daughter-in-law, Salvacion Vda. de Holmas, widow of Lemuel Holmas, agreed to receive ₱1,500 in full satisfaction of their claim; that Nicetas Salaan, the injured co-passenger of the deceased Lemuel Holmas, was paid ₱1,300; and that he, respondent got ₱200 for his services in effecting the amicable settlement.

Complainant admits his signature on a document submitted by respondent (Exh. 2) wherein he and his daughter-in-law agreed that should their case against the jeep owner be settled amicably, they would receive not less than ₱1,500 as satisfaction of their claim. This document was executed on December 1, 1961, and was not intended to bind the parties thereto to the jeep owner but to herein respondent as their lawyer. The document in effect stated that complainant and his daughter-in-law would have respondent represent them in their claim for damages against Macalam; that if the claim be settled they shall get not less than ₱1,500; that they shall not effect any settlement by themselves and should they do so, they shall be liable to respondent for damages.

On December 2, 1961, complainant and the widow of his son executed an amicable settlement in which they agreed to settle their claim for ₱2,800. The document (Exh. B for complainant and Exh. 4 for respondent) was prepared and notarized by respondent himself and witnessed by Nicetas Salaan. On this occasion, according to Vitaliana Macalam, wife of Lucio Macalam, the jeep owner, she delivered to respondent ₱3,000 in the presence of complainant, of which ₱2,800 was intended for complainant and his daughter-in-law as damages for the death of Lemuel Holmas. The balance of ₱200 was for respondent's services for effecting the settlement. Respondent and Nicetas Salaan, on the other hand, testified that the former, in complainant's presence, paid ₱1,500 to the widow of Lemuel Holmas and ₱1,300 to Nicetas Salaan, for the latter's injuries.

Respondent's version could not be given weight and credit. As the Investigating Judge aptly stated:

"The respondent relied much on his witness Nicetas Salaan, but there are certain features in his testimony that make him unworthy of credit.

“For instance, he testified that a previous agreement was reached upon between him and Jose Holmas with respect to the distribution of the amount of ₱2,800.00 and he contended that out of this he received ₱1,300.00 and Jose Holmas was to receive the remaining ₱1,500.00. It is hard to believe that Jose Holmas would have readily agreed to an almost fifty-fifty sharing basis considering the disparity in the injury suffered by one and the other. Nicetas Salaan suffered a minor injury in the leg that necessitated only two days medical attendance while Lemuel Holmas lost his life. There is no proportion in the share of each and the undersigned is of the opinion that Jose Holmas is not so stupid as to agree to the sharing basis claimed by the respondent.

“Furthermore, if the amount of ₱2,800.00 was intended to cover the indemnity for both Nicetas Salaan and Lemuel Holmas, the same should have been made to appear in plain terms in Exhibit “B” to clear Lucio Macalam once for all of his liability. Nicetas Salaan should have also waived like Jose Holmas and Salvacion Holmas, as heirs of the deceased, Lemuel Holmas, to claim for damages in the same document or in separate paper.”

The above observations are certainly logical. Moreover, the agreement signed by complainant and his daughter-in-law wherein they agreed to receive not less than ₱1,500 in settlement of their claim (Exh. 2) was intended to bind them to respondent rather than the jeep owner Macalam. This document was in effect a retainer contract, and totally unknown to Macalam, the owner of the jeep, as to make him reconsider his intended offer of ₱2,800 to complainant.

Respondent’s last defense is to the effect that no disciplinary action may be taken against him as municipal judge because his acts complained of were not performed as such official but as a practising lawyer.

It is undisputed that the actuations of respondent complained against in this case took place when he was already a justice of the peace. Equally undisputed is that assumption of the office of judge, in accordance with the Canons of Judicial Ethics, casts upon the incumbent duties in respect to his personal conduct. A judge’s behavior not only while on the bench performing judicial functions, but also in his everyday life, must be beyond reproach, for in the eyes of the common people with whom he deals, he is no less a judge when performing private functions than when discharging official duties. Familiar is the canon that dishonesty, as in this case, is a ground for disciplinary action and need not be related to the performance of official duty.

“x x x If a Government officer or employee is dishonest or is guilty of oppression or grave misconduct, even if said defects of character are not connected with his office, they affect his right to continue in office. The Government cannot well tolerate in its service a dishonest official, even if he performs his duties correctly and well, because by reason of his government position, he is given more and ample opportunity to commit acts of dishonesty against his fellow men, even against offices and entities of the Government other than the office where he is employed; and by reason of his office, he enjoys and possesses a certain influence and power which renders the victims of his grave misconduct, oppression and dishonesty less disposed and prepared to resist and to counteract his evil acts and actuations. As the Solicitor General well pointed out in his brief, “the private life of an employee cannot be segregated from his public life. Dishonesty inevitably

reflects on the fitness of the official or employee to continue in office and the discipline and morale of the service’.” (Nera vs. Garcia et al., G.R. No. L-13169, Jan. 30, 1960)

In view of the foregoing, I find respondent guilty of dishonesty.

Wherefore, Mr. Fernando B. Fuentes, Jr., is hereby removed from office as Municipal Judge of Nunuñgan, Lanao del Norte, effective upon receipt of a copy hereof.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 45

IN THE MATTER OF THE PETITION OF MUNICIPAL JUDGE RODOLFO S. AZANZA OF
MANDAON, MASBATE, FOR RECONSIDERATION OF ADMINISTRATIVE ORDER NO. 132-A
DATED AUGUST 27, 1965.

Under Administrative Order No. 132-A dated August 27, 1965, Mr. Rodolfo S. Azanza was considered resigned and separated from office as municipal judge of Mandaon, Masbate, for gross negligence and inefficiency in the disposition and trial of cases in his court.

Respondent filed a request for reconsideration on the ground that the penalty meted out to him was too severe for the offenses committed. Upon a careful study of the records of the case, and considering the extent of respondent's neglect in the performance of his official duties which clearly indicates his unfitness for the bench, I am of the opinion that respondent does not deserve to be returned to the service.

Wherefore, his petition for reconsideration is hereby denied. Considering, however, his length of service in the government, Administrative Order No. 132-A dated August 27, 1965, is hereby modified in the sense that the separation of Mr. Rodolfo Azanza as municipal judge of Mandaon, Masbate, shall be without prejudice to his receiving whatever benefits he may be entitled to under the law.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 46
REMOVING MR. ELOY DAVID FROM OFFICE AS MUNICIPAL JUDGE OF CLARK FIELD,
PAMPANGA.

This is an administrative case against Municipal Judge Eloy David of Clark Field, Pampanga, for abuse of judicial power and discretion. The case was investigated by the District Judge who found respondent guilty of the charges and recommended that he be suspended for six months with warning. However, the Undersecretary of Justice, while concurring in the findings of the investigator, found the latter's recommendation too lenient for the serious offenses committed and recommended respondent's dismissal.

The facts that gave rise to these administrative proceedings are as follows:

About 10 p.m. of July 30, 1965, several heavily armed men robbed the NCO Club at Clark Air Base of \$169,500, after which they commandeered a car, forced three wives of US airmen to go with them as hostages and exchanged shots with Base security guards as they fled from the scene of the crime, resulting in the wounding of an airman who attempted to block their escape.

Subsequently, the Deputy Director of Security and Law Enforcement of Clark Air Base filed with the Municipal Court of Clark Field Criminal Cases Nos. 1236 (for robbery), 1237 (for kidnapping with serious illegal detention) and 1238 (for robbery in band with serious physical injuries) against Manuel Gamboa, Tomas Cao, Sebastian Macabuhay, Aurelio A. Santos, Marcelo Paguio, Carlito Dizon Miranda, Bonifacio Carillo and three other unidentified men.

A preliminary examination was conducted by respondent on August 13, 1965, during which prosecution witnesses appeared and presented evidence to substantiate the charges. Upon the conclusion of the preliminary examination the following day, respondent issued warrants of arrest against the above-named accused, in view of his findings that the criminal offenses had in fact been committed and that the accused were probably guilty thereof.

In the second stage of the preliminary investigation, only Gamboa availed of his right to present evidence to establish his innocence. Carillo waived his right thereto and requested that the case against him be forwarded to the Court of First Instance of Pampanga for further proceedings, and respondent issued the corresponding order to that effect on September 15, 1965. On October 21, 1965, Miranda executed his confession to the crime of which he was accused and respondent himself administered the oath to Miranda in open court. Miranda also waived his right to present evidence in the preliminary investigation and, at his counsel's request, respondent issued an order dated November 5, 1965, elevating Miranda's case to the Court of First Instance of Pampanga.

On March 4, 1966, Col. Moore of Clark Air Base inquired from the Court of First Instance of Pampanga as to the status of the criminal cases against Carillo and Miranda. The Executive Judge thereof informed the colonel that the records of the three criminal cases had not been transmitted to that court.

In the meantime, the preliminary investigation against Gamboa was terminated. On March 15, 1966, respondent issued an order dismissing, for lack of evidence, the three criminal cases not only against Gamboa but also against the other accused, including Carillo and Miranda.

On March 30, 1966, the Base authorities, through Major Hugh R. Shannon, filed Criminal Case No. 5484 (for robbery in band with serious physical injuries) in the Court of First Instance of Pampanga against several persons, including Carillo, Miranda and Gamboa, in connection with the robbery treated above. Inasmuch as Criminal Case No. 5484 relates to the same crime involving the same persons accused in the three criminal cases previously dismissed by respondent, the defense moved for its dismissal. The motion was, however, denied on the ground that the dismissal of said criminal cases by respondent was patently irregular, considering that Carillo and his coaccused failed to present evidence during the second stage of the preliminary investigation to disprove the existence of a prima facie against them. Criminal Case No. 5484 is still pending in the Court of First Instance of Pampanga.

From the time respondent ordered the transmittal of the records of the criminal cases to the Court of First Instance of Pampanga, insofar as Carillo and Miranda are concerned, more than four months had elapsed without said records having been actually sent thereto.

Respondent's explanation that his failure to do so was due to the non-apprehension of the other accused is entirely unsatisfactory. There was no cogent reason for him to wait for the arrest of the others before submitting the cases against the defendants who were in custody and had already waived their right to the preliminary investigation. In fact, the law expressly requires respondent upon the conclusion of the preliminary investigation to transmit without delay the records of the case to the Clerk of the Court of First Instance having jurisdiction over the offenses, including the warrants of arrest and the testimony of witnesses in support thereof, the undertaking or bail of the accused or the person of the accused if not on bail and his findings in the preliminary investigation (Sec. 12, Rule 112, Revised Rules of Court).

Much less was there any sufficient justification for respondent's dismissal on March 15, 1965, of the three criminal cases against Gamboa, Carillo, Miranda and the other accused. When respondent on August 14, 1965, issued the warrants of arrest, the legal implication was that he believed that the accused were probably guilty. "The issuance of a warrant of arrest is prima facie evidence that in the judgment of the judge at least, there exists probable cause for believing that the person against whom the warrant is issued is guilty of the crime charged" (People vs. Olandag, 92 Phil. 286). But more than a legal inference, respondent said so in express terms in his order of August 14, 1965. Moreover, during the second stage of the preliminary investigation, only Gamboa presented exculpatory evidence to prove alibi and neither Carillo nor Miranda who, as aforesaid, had confessed his participation in the crime and sworn to his confession before respondent in open court, presented evidence to prove their innocence. In other words, insofar as the two defendants are concerned, no evidence whatsoever was adduced at any stage of the preliminary investigation to refute the findings of probable cause and prima facie guilt against them which induced respondent to issue warrants for their arrest.

Respondent's failure to transmit the records of the criminal cases to the Court of First Instance of Pampanga, as required by law, and his irregular dismissal of said cases under the attendant circumstances either betray his gross incompetence and ignorance of the elementary rules of procedure or his manifest partiality or total lack of concern for the due administration of justice, which necessarily reflects adversely on his fitness to remain in the public service, particularly in the judicial branch of the government. He is the type of official that emboldens the criminal elements and undermines the people's faith in the administration of justice.

Wherefore, and upon recommendation of the Undersecretary of Justice, Mr. Eloy David is hereby removed from office as municipal judge of Clark Field, Pampanga, effective upon receipt of a copy hereof.

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 47
TERMINATING THE SERVICES OF MESSRS. MELITON V. ANGELES AND RICARDO EBRON
AS ASSISTANT PROVINCIAL FISCALS OF QUEZON PROVINCE.

After an examination of the records and pertinent statutory provisions, it appears that Messrs. MELITON V. ANGELES and RICARDO EBRON were extended appointments by the then President Diosdado Macapagal on January 23, 1964, to non-existing positions of Assistant Provincial Fiscals of Quezon Province.

Wherefore, Messrs. Meliton V. Angeles and Ricardo Ebron are hereby advised to desist from further performing the duties of Assistant Provincial Fiscals of Quezon Province immediately upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 48
REMOVING MR. HORACIO T. AQUINO FROM OFFICE AS MUNICIPAL JUDGE OF
PANGANIBAN, CATANDUANES.

This is an administrative case filed by Dr. Alfredo Canoy and Mr. Francisco Talion against Municipal Judge Horacio T. Aquino of Panganiban, Catanduanes, for gross misconduct.

Complainant Canoy alleges that in January or February of 1962, about noontime, respondent, while drunk, entered the Viga Emergency Hospital dining hall where said complainant, then chief of hospital, and his subordinates were having a baptismal celebration, and at the top of his voice called them voracious eaters. When led out of the hospital, respondent boxed and broke two glass windows of the hospital ambulance parked outside.

Complainant Talion avers that in or about September 1962 he brought his wife to the hospital for mental checkup in the truck of a certain Tiago. On the way, respondent judge, who was drunk, boarded with them to the hospital. Upon alighting, respondent picked up a stone and hit the glass screen window of the hospital. Later, he conducted Mrs. Talion inside, seated her on a bench, embraced and kissed her and tried to lie over her. Upon seeing complainant, respondent slapped him and left the hospital.

Respondent, in answer to the charges, denies the allegations thereof. However, he admits that he was in the hospital in September of 1962 at 4:30 P.M. to invite the hospital staff to his late daughter's concluding prayer (catapusan) and it was at this time that he accidentally broke the screen glass window when, at the information desk, he picked up a paper weight stone and jokingly threw it at the clerk to call his attention, but the stone accidentally hit the glass screen, breaking the same.

After a formal investigation, the District Judge found the evidence convincing that respondent, induced by liquor, committed the acts imputed to him. Thus, the Judge found as follows:

“As I see it, the troubles of the respondent are mainly due to alcoholism. In Administrative Case No. 9 wherein he was found guilty and ordered suspended by the President of the Philippines in Administrative Order No. 386 (Exh. F), the respondent was found to have committed a series of indiscretions due to drunkenness. The evidence in this case is fairly convincing that during the incidents in question the respondent was drunk.

“The incident at the baptismal party at the dining hall of the Viga Emergency Hospital in February, 1962 is a proven fact. The holding of the party is admitted even by the witnesses for the respondent, although they were evasive regarding the alleged insult uttered by the respondent at Dr. Canoy and the other diners. No sufficient motive has been shown as to why Dr. Canoy should falsify this particular fact and the mere denial of the respondent cannot prevail over the positive testimony of the complainant. And while it might be true that he could have gone to Manila to negotiate a loan with the GSIS on February 1st, there is no convincing proof that he was totally absent from Viga during the whole month.

“The incident with the wife of Francisco Talion appears to have been sufficiently established. Dr. Mayuga himself identified Francisco Talion as having been present in the hospital during the day in question when the respondent broke a window glass of the hospital with a stone. Dr. Mayuga heard the commotion inside the dispensary and when he made an investigation, he was informed that the respondent had tried to abuse a woman.

“I believe that considering the time and the circumstances, the respondent was not actuated by any real feeling of lasciviousness but his disgraceful conduct was purely induced by liquor that somehow excites the mischievous side of his nature when under its influence. . . .”

Apart from the fact that, as observed by the Undersecretary of Justice, the investigating judge was in the best position to determine the credibility of the witnesses, his findings are substantially borne out by the evidence of record. The findings particularly with respect to the charges of complainant Talion, which are the most serious, are firmly supported by the testimony of Dr. Julio Mayuga Jr., officer in charge of the hospital, who, although not present during the incident narrated by complainant, made inquiries after hearing a commotion inside the dispensary, which sustained complainant’s credibility.

The records show that in Administrative Order No. 386 dated December 28, 1960, respondent was previously adjudged guilty of abuse of power, habitual drunkenness and incompetence, for which he was merely suspended for three months over the recommendation of the Department of Justice for his removal, as the then President of the Philippines, acting “upon the conviction of the District Judge that he [respondent] is not beyond reform,” was “persuaded to give him another chance to acquit himself in the judiciary.” He was, however, warned that commission of similar acts would be sufficient cause for his removal from the service.

It is pertinent to note that of the two instances of respondent’s misconduct in the present case, one took place during the period of his suspension pursuant to Administrative Order No. 386 and the other shortly after his reinstatement. Respondent has clearly shown virtual incorrigibility and utter disregard of the President’s warning. He is therefore totally unfit to stay in the public service, particularly in the judiciary where observance of personal sobriety and dignity is most vigorous and exacting.

Wherefore, and upon the recommendation of the Undersecretary of Justice, Mr. Horacio T. Aquino is hereby removed from office as municipal judge of Panganihan, Catanduanes, effective upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 49
CREATING A COMMITTEE TO TAKE CHARGE OF THE BIDDING AND AWARDS OF
IRRIGATION PUMPS FOR THE IRRIGATION SERVICE UNIT.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to take charge of the bidding for and awards of irrigation pumps for the Irrigation Service Unit, composed of the following:

Director-General Placido L. Mapa, Jr.	– Chairman
Administrator Lazaro Ocampo	– Member
Auditor General Ismael Mathay, Sr.	– Member

The Committee shall take note of the specifications and number of irrigation pumps needed by the Irrigation Service Unit and shall conduct the bidding and make the award or awards on the basis thereof, all in accordance with the applicable law, rules and regulations on the matter.

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its work.

The Committee shall submit to the President a report of its activities and accomplishments at the soonest time possible.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 50
CREATING A PRESIDENTIAL INVESTIGATING COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Presidential Investigating Committee composed of the following:

Hon. Gaudencio C. Garcia Chairman
Hon. Edilberto Barot Member
Prof. Enrique M. Fernando Member

The committee shall investigate any and all cases that may be assigned to it by the President from time to time. For such purpose, it is hereby granted all the powers of an investigating body under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall be empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the accomplishment of its task.

Done in the City of Manila, this 18th day of April, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 51
CREATING A COMMITTEE TO PASS UPON AND COORDINATE THE ESTABLISHMENT OF
RADIO STATIONS AND ISSUANCE OF RADIO FREQUENCIES

WHEREAS, there is an urgent need for overall planning, implementation and coordination with respect to the establishment of radio stations and the issuance of permits for the corresponding radio frequencies therefor in order to prevent indiscriminate issuance of frequencies, overlapping and clogging up of the airwaves;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create and constitute a Committee composed of the following:

Deputy Director-General Alejandro Melchor,
Presidential Economic Staff Chairman
The Chief Signal Officer, Signal Corps
Armed Forces of the Philippines Member
The Chief, Radio Control Office Member

It shall be the duty and responsibility of the Committee to plan, implement and coordinate the establishment of radio stations and the issuance of radio frequencies in order to prevent their indiscriminate issuance, overlapping and consequent clogging of the airwaves. For this purpose, the Committee is hereby empowered to review and pass upon all applications for construction of radio stations and issuance of radio frequencies. In passing upon the applications, the Committee shall be guided by existing radio laws and applicable rules and regulations.

The Radio Control Office shall serve as the Secretariat of the Committee.

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 4th day of May, in the year of our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 52
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1967.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1967.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of Labor	Vice-Chairman
The Press Secretary.....	Member
The Commissioner of the Budget	Member
The Commissioner, National Integration Commission	Member
The Undersecretary of Public Works and Communications	Member
The Undersecretary of National Defense	Member
The Undersecretary of Commerce and Industry	Member
The Deputy Administrator of Economic Coordination.....	Member
The Mayor of Manila.....	Member
The President, Philippine Association of Colleges and Universities (PACU)	Member
The President, Veterans Federation of the Philippines.....	Member
The President, Civic Assembly of Women of the Philippines (CAWP)	Member
The President, Philippine Chamber of Commerce.....	Member
The Presidential Protocol Officer.....	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 15th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 53
EXONERATING CHIEF OF POLICE CECILIO LEDESMA OF BASILAN CITY.

This is an administrative case instituted by Mr. Amalio Rondael against Chief of Police Cecilio Ledesma of Basilan City for grave misconduct and violation of law based on the information (Criminal Case No. 1329) filed with the Court of First Instance of Basilan City for qualified theft, wherein it was alleged that on or about January 8, 1963, respondent and Detectives Ramon Muñal and Domingo Fernando of the Basilan Police Department appropriated for their personal benefit the 194 cases of smuggled cigarettes amounting to ₱66,000 confiscated in a raid headed by respondent on Pilas Island, Isabela, Basilan City.

After submittal by respondent of his explanation to the administrative charges filed against him by Amalio Rondael and pending determination thereof, the then President on August 28, 1964, ordered his preventive suspension and simultaneously designated complainant Rondael as acting chief of police of Basilan City.

In its decision dated September 12, 1964, the Court of First Instance of Basilan City found respondent alone guilty as charged and sentenced him to imprisonment of from 10 years and 1 day to 17 years, 4 months and 1 day, and to indemnify the Republic of the Philippines in the sum of ₱66,000. Thereafter respondent appealed to the Court of Appeals.

During the pendency of respondent's appeal, the special investigator conducted the hearing of the administrative case on February 16, 1965, wherein he proposed to the respective counsel for complainant and respondent that the testimonial and documentary evidence presented in the criminal case be deemed reproduced and adopted in the administrative case. Respondent's counsel did not agree to the proposal, but manifested that he would interpose no objection if the evidence of the prosecution in the criminal case would be so utilized in the administrative case. Hence, the same was offered as evidence and admitted by the investigator.

When the investigator called for the evidence of respondent, the latter's counsel moved for the postponement of the hearing on the ground that Ledesma was not present, which request was denied. However, the investigator gave respondent from February 16 to March 15, 1965, to present his evidence at the office of the Solicitor General in Manila. On February 25, 1965, respondent requested that the hearing of the administrative case be held in Isabela, Basilan City, as he was sick and had no money to defray the expenses in going to and from Manila, to afford him and his counsel full opportunity to confront and cross-examine the witnesses against him. Said request was likewise denied.

On the basis of the evidence submitted during the investigation, the investigator adopted the findings of the Court of First Instance of Basilan City in Criminal Case No. 1329 against respondent as follows: (a) that respondent sold 22 cases of Union cigarettes to Hadji Mohammad at Balukbaluk Island because "Hadji Mohammad himself testified that he bought 22 cases of Union blue-seal cigarettes from Ledesma [herein respondent] at Balukbaluk Island," which "testimony was corroborated by two other witnesses, Aling Asmalludin and Jainuddin Susulan;" (b) that "there is no dispute that Ledesma ordered Lungi to get the kumpit from Isabela and loaded it with 200 (175) cases

of cigarettes” that later disappeared; (c) that he failed to see to it that the 200 (175) cases were entered in the Daily Event Book of the Basilan City Police Department in the same way that he had entered the 33 cases of Union cigarettes; and (d) that the loss of the 200 (175) cases of cigarettes should have been investigated by respondent, considering that his subordinates handled the loading of the same. Accordingly, the investigator in his report dated May 4, 1965, found respondent guilty of the charges and recommended that he be separated from the service, effective as of the date of his preventive suspension on August 28, 1964.

Subsequently, the Court of Appeals reversed the judgment of the trial court and acquitted respondent of the charge (C.A. -G.R. No. 05288-CR, prom. Dec. 19, 1966). In acquitting respondent, the Court found no evidence whatsoever to implicate him in the commission of the alleged crime and that persons (positively identified by the Court) other than respondent were guilty thereof, which led it to state in no uncertain terms that “this is another instance where the prosecution failed in its mission to secure conviction of the real ladrones. The prosecution prosecuted the wrong man. It must have been the way around” (emphasis added).

With the above categorical pronouncement on respondent’s innocence, the evidence in the administrative proceedings based on the same facts must necessarily fall for total want of basis to support the same. A perusal of the records indeed fails to show that respondent had anything to do with the commission of the crime. On the contrary, indubitable facts and circumstances surrounding the filing of the administrative and criminal charges against respondent, his preventive suspension from office and the subsequent appointment of complainant in his stead as acting chief of police of Basilan City pending resolution thereof tend to support the appellate court’s apparent misgivings on the intrinsic merits of the criminal prosecution when it observed: “Much could be said about the telegrams received by Assistant City Attorney Emilio C. Andrión which apparently prompted him to file the instant information. We would refrain, however, from articulating further on these communications. There is more eloquence in silence.”

In view of the foregoing, Mr. Cecilio Ledesma, Chief of Police of Basilan City, is hereby exonerated from the administrative charges against him. His preventive suspension is hereby lifted and he shall be reinstated forthwith, with right to receive salary corresponding to the period of his preventive suspension.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 54
REMOVING MONEBRIO F. ABELLANA FROM OFFICE AS CHIEF OF POLICE OF DAVAO CITY

The following sworn administrative charges were filed by complainant Guillermo Teves against Monebrio F. Abellana, Chief of Police of Davao City, to wit:

- (1) Extortion, for having forced the changing of an adverse report by certain police investigators against Lee Dag, a Chinese who was applying for naturalization, into a favorable one in consideration of the amount of ₱600 paid by the said Lee Dag to the respondent;
- (2) Tolerating or abetting gambling or other illegal games, for not acting on reports of gambling or paying no heed to gambling apprehensions;
- (3) Failing to turn over confiscated blue seal cigarettes, by not making the correct accounting of the said cigarettes turned over to him by his men;
- (4) Abuse of authority and falsification, for having issued regular police IDs to persons who are not regular members of the Police Force;
- (5) Immorality, for maintaining immoral relationships with several concubines;
- (6) Inefficiency, for not performing his job as police chief in connection with the maintenance of peace and order;
- (7) Violation of law, for having caused the appointment of special policemen whom he equipped with badges and IDs.

These charges were accordingly referred to Solicitor General Antonio Barredo who was duly authorized to conduct the investigation thereof pursuant to Administrative Order No. 17, series of 1966. In the meantime, respondent was suspended preventively.

Records bear the fact that hearings were duly conducted by the Investigator, wherein both complainant and respondent with their respective counsel and witnesses appeared and extensive testimonial and documentary evidence for either party were adduced.

In all but the charge of tolerating and abetting gambling, where the Investigator gives respondent the benefit of the doubt, the Investigator found the respondent guilty and on the basis of the findings recommended that respondent be dismissed or removed from office with complete forfeiture of all rights to which he might otherwise be entitled from the government.

On the first charge of extortion, the Investigator found that respondent had indeed changed the adverse report against a Chinese applicant for naturalization into a favorable one which respondent forwarded to the Solicitor General. The basis of this finding is the testimony of Patrolmen Macasaet and Operiano of the Davao City Police Force who were assigned by respondent to investigate the Chinese applicant, and the Investigator chose to believe the patrolmen's testimony because of certain documentary evidence showing that the Chinese had falsified reports to the immigration authorities

regarding the number of his children, had made false statements as to his residence and had failed to report and pay the annual report fee.

On the charge that respondent failed to make a correct accounting of confiscated untaxed blue seal cigarettes, the complainant's witness claims that there were 139 cases of blue seal cigarettes confiscated and turned over to respondent but the latter endorsed to the Bureau of Internal Revenue only 65 cases, thus failing to account for 74 cases. Although only one witness was presented to support this charge, the Investigator gives more credence to his testimony because this witness, Police Sgt. Emmanuel Mesias, was with the confiscating party and the testimony of two other police officers who were also with the confiscating party were conflicting and illogical. For instance, witness of respondent Patrolman Libunaw stated that the police pick-up truck made only one trip in transporting the confiscated cases of blue seal cigarettes. The Investigator found this hard to believe because even if there were only 65 cases of blue seal cigarettes the same could simply not be accommodated in a single trip together with the eight members of the anti-smuggling team, and considering that it took the team from dawn till 10 o'clock at night to transport only 65 cases.

Regarding the charge that the respondent had issued IDs for regular police officers to persons who are not regular members of the police force, the Investigator on the basis of testimonial and documentary evidence found that in at least ten cases IDs for regular police officers were issued to persons who had no appointment on record. The Investigator also found that there was no procedure for the issuance of these IDs, and that there was no record kept of the appointments of special policemen who were issued IDs for regular police Officers. On the defense of respondent that he was only following orders of the City Mayor in the issuance of these IDs, the Investigator cited the testimony of the City Mayor's private secretary that the Mayor's office had nothing to do with the issuance of the said IDs. Pointing to the laxity with which the IDs were issued, the investigator states that the tendency of the evidence shows that IDs were being given almost to anyone who asked for it.

Two witnesses, Alfreda Tulayba and Patrolman Operiano, testified to the fact that the respondent maintained relations with several women with one of whom he had a son by the name of Nelson, a fact which appears in the birth certificate of the child. This was of course denied by respondent but, on the basis of the testimony of these witnesses, the Investigator found respondent guilty of immorality.

The Investigator adjudged respondent guilty of inefficiency because of his past and present record of absences from office and his handling of the matter of special policemen which borders on criminal negligence. In making this finding, the Investigator cited past instances of respondent's unsatisfactory service such as the passage of City Council Resolution No. 630, series of 1956, condemning respondent's weakness and incompetence and unwillingness in the enforcement of the laws.

The issues raised by the charges against respondent are issues of fact and, after having carefully scrutinized the records containing the evidence presented during the hearings, I am satisfied that the findings of the Investigator are amply supported. Whatever may be said against the said findings, there is no denying the fact that they exhibit the respondent to be an irresponsible, incompetent and corrupt person unfit to be entrusted with the challenging and demanding responsibility of enforcing the law and maintaining peace and order.

WHEREFORE, and upon the basis of the recommendation of Solicitor General Antonio Barredo, Special Investigator-designate, Mr. Monebrio F. Abellana is hereby removed from office as Chief of Police of Davao City effective upon receipt of a copy of this order.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 55
IMPOSING THE PENALTY OF SUSPENSION ON MR. REMIGIO M. PEÑA, MUNICIPAL JUDGE
OF PONTEVEDRA, NEGROS OCCIDENTAL.

This refers to three administrative cases (Nos. 70, 79 and 81) filed against Mr. Remigio M. Peña, municipal judge of Pontevedra, Negros Occidental.

Administrative Case No. 70

Respondent is charged with gross ignorance of the law and grave abuse of authority and discretion. The case was investigated by District Judge Eduardo D. Enriquez who found respondent guilty of the charges.

It appears that on the basis of a letter (Exhs. E, E-1 and Z-1) personally handed by Mrs. Manuela Ruiz Vda. de Gurrea to respondent on August 14, 1962, wherein the widow requested respondent's help in obtaining possession of a house of her late husband, Carlos Gurrea, located in Pontevedra, respondent then and there entered the letter in his docket of civil cases as Civil Case No. 273 (Exh. C) and immediately issued an order (Exhs. F and Z-2) giving the widow "the possession of the said house and its premises." On the same day the respondent issued another order (Exhs. D and Z-5) addressed to the chief of police of Pontevedra authorizing the latter to execute his order (Exhs. F and Z-2) and to place the widow in possession of the house and the premises thereof. On that same day the chief of police executed the orders of respondent and the family of herein complainant, a brother of the late Carlos Gurrea, was summarily ejected from the house which was forthwith occupied by the widow.

As correctly observed by the Investigating Judge, respondent disregarded the provisions of the law by accepting the letter of the widow as a formal complaint sufficient to initiate a civil case for ejectment, and acted arbitrarily by summarily ordering the dispossession and ejectment of the family of complainant from the house they were occupying, without any previous hearing to justify the issuance of that order.

Administrative Cases Nos. 79 and 81

These cases appear to be offshoots of Administrative Case No. 70, *supra*. Complainants are District Judges Eduardo D. Enriquez and Jose Fernandez of the Court of First Instance of Negros Occidental who have respectively charged respondent with arbitrariness, insubordination, gross ignorance of law, etc. (Adm. Case No. 79), and ignorance of the law, willful issuance of an unlawful and unjust interlocutory order, criminal tendency to violate the civil liberty of innocent persons, etc. (Adm. Case No. 81). Respondent did not controvert or deny the averments in the verified complaints of Judges Enriquez and Fernandez. In his answer, respondent did not raise any issue, and the cases were submitted to the investigator, District Judge Jose Querubin, for resolution on the pleadings.

It appears that on the basis of respondent's actuation in Civil Case No. 273, the defendant therein, Ricardo Gurrea, filed Administrative Case No. 70 against respondent. Said administrative case was investigated by Judge Eduardo Enriquez who thereafter submitted his recommendation to the Secretary of Justice together with the records of the administrative case and Civil Case No. 273.

On January 13, 1965, respondent issued a subpoena duces tecum in Civil Case No. 273 of his court directing Judge Enriquez to appear and testify before his court and to bring with him the entire records of said civil case.

On the date directed by respondent for Judge Enriquez to appear before him, Judge Enriquez sent a letter to the respondent informing him that the records of Civil Case No. 273 were no longer in the custody of the court, as the same had been forwarded to the Department of Justice as part of the records of Administrative Case No. 70, and that the subpoena should have been directed to the clerk of court who had custody of court records (Sec. 7, Rule 136, Rules of Court).

Because of the failure of Judge Enriquez to appear before respondent, the latter issued an order dated March 26, 1965, charging the former with contempt of court and sentencing him to imprisonment until he complied with the subpoena duces tecum. In the same order the respondent sentenced Judge Enriquez to one-day imprisonment for allegedly insinuating in his letter that respondent was ignorant of the law when reminded by Judge Enriquez that the subpoena duces tecum should have been addressed to the clerk of court. The bail bond was set at ₱30,000 and a warrant of arrest was forthwith issued.

On March 28, 1965, a Sunday, respondent directed the chief of police of Pontevedra to serve the warrant of arrest on Judge Enriquez. The next day, Judge Enriquez filed a petition for certiorari and prohibition with preliminary injunction in the Court of First Instance of Negros Occidental (Judge Fernandez presiding), which was docketed as Civil Case No. 7359, wherein he sought to have respondent's orders declared void ab initio and to enjoin respondent from proceeding against him. Judge Fernandez granted the petition. Judge Enriquez then administratively charged respondent with arbitrariness, insubordination, gross ignorance of law, vindictiveness and abuse of authority (Adm. Case No. 79).

Administrative Case No. 81 arose when respondent ignored the order of Judge Fernandez in Civil Case No. 7359 enjoining him from issuing his order for the arrest of Judge Enriquez and from enforcing it, and requested instead the assistance of Judge Fernandez to, implement the order. The request having been ignored by Judge Fernandez, respondent issued a summons citing Judge Fernandez to appear before his court and to show cause why he should not be punished for contempt for not implementing the order. As a consequence, Judge Fernandez filed the present Administrative Case No. 81 for ignorance of the law, willful issuance of an unlawful and unjust interlocutory order, criminal tendency to violate the civil liberty of innocent persons, uninhibited habit of ordering the arrest of Judges of the Court of First Instance, maniacal and insatiable urge to violate the jurisdiction of his court, and malicious imputation of an imagined wrong or defect in the raffling procedure of the Court of First Instance of Negros Occidental.

On May 6, 1965, respondent was suspended by Judge Jose Querubin who investigated Administrative Cases Nos. 79 and 81. The only defense of respondent is his good faith and honest mistake, but as observed by the Investigating Judge "no amount of good faith and honest mistake would be sufficient to absolve respondent from the serious charges, which the respondent himself had admitted in his amended answer."

In the light of the above, I find respondent guilty in the three administrative cases. It appearing, however, that both District Judges concerned have withdrawn their complaints against the respondent and considering that respondent has been under preventive suspension since May 6, 1965, up to the

present, the period during which he has been out of office may be considered as sufficient penalty for his acts.

Wherefore, Municipal Judge Remigio M. Peña is hereby imposed the penalty of suspension without pay corresponding to the period from his preventive suspension until his reinstatement which is hereby decreed.

Done in the City of Manila, this 16th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 56

DIRECTING THAT TRANSMITTAL OF COMPLAINTS AND GRIEVANCES TO THE PRESIDENT, THROUGH THE FACILITIES OF THE BUREAU OF TELECOMMUNICATIONS, BY MEANS OF WIRE OR TELEGRAPHIC SERVICES, BY FARMERS CONCERNING PROBLEMS ON RICE PRODUCTION, BE CHARGED AT MINIMAL COST OF TEN CENTAVOS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby direct that the Bureau of Telecommunications make available its facilities to farmers by transmitting their complaints and grievances to the President concerning problems on rice production, by means of wire or other telegraphic services, at the minimal cost of ten centavos.

Done in the City of Manila, this 22nd day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 57

MODIFYING ADMINISTRATIVE ORDER NO. 17 DATED JUNE 11, 1962, BY CONSIDERING DR. JOSE V. RODRIGUEZ AND GEN. RAMON ENRIQUEZ AS HAVING RESIGNED FROM OFFICE AS CHAIRMAN AND MEMBER, RESPECTIVELY, OF THE BOARD OF DIRECTORS OF THE DEFUNCT NATIONAL RICE AND CORN CORPORATION.

After considering the representations contained in the petitions for reconsideration filed by Dr. Jose V. Rodriguez and Gen. Ramon Enriquez, who were removed from office as Chairman and Member, respectively, of the Board of Directors of the Defunct National Rice and Corn Corporation (now Rice and Corn Administration) under Administrative Order No. 17 dated June 11, 1962, particularly the circumstance of Dr. Rodriguez' having been in the public service for more than 27 years and that of Gen. Enriquez both in the military and other branches of the government service, I am satisfied that they deserve a less severe penalty.

Wherefore, Administrative Order No. 17 dated June 11, 1962, is hereby modified in the sense that Dr. Jose V. Rodriguez and Gen. Ramon Enriquez are considered as having resigned from office effective January 25, 1962, without prejudice to their receiving whatever benefits they may be entitled to under the law.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO, JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 58
AMENDING ADMINISTRATIVE ORDER NO. 37 DATED MARCH 13, 1967, ENTITLED
“CREATING THE UPPER PAMPANGA RIVER PROJECT COORDINATING COMMITTEE.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 37 dated March 13, 1967, creating the Upper Pampanga River Project Coordinating Committee by inserting the following additional power of the Committee:

“5. To call upon any office of the government or any government controlled corporation for cooperation and assistance;”

Item (5) of the second paragraph of the same order shall hereafter be designated as Item (6).

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 59
CREATING THE INTER-AGENCY TECHNICAL COMMITTEE ON FOREIGN ECONOMIC
POLICY.

WHEREAS, in the conduct of foreign economic relations, the Philippine Government regularly encounters problems involving both the different government agencies and the private sector;

WHEREAS, there is necessity for a specific agency to coordinate and consult with government agencies and the private sector to insure that their positions and policies are in conformity with established foreign economic policy; and

WHEREAS, it is necessary for an appropriate agency to make thorough and continuing studies of problems affecting the country in its economic intercourse with other countries and to recommend the Philippine position in international economic negotiations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Inter-Agency Technical Committee on Foreign Economic Policy which shall serve as the government body responsible for conducting studies and research work on matters pertaining to Philippine foreign economic relations, recommending the Philippine position in international economic negotiations in consultation with other government agencies and the private business sector concerned, and recommending to the President such other policies of an economic character as would most effectively advance the national interest.

The Inter-Agency Technical Committee on Foreign Economic Policy shall be composed of a Chairman from the Department of Foreign Affairs and a representative each from the Department of Commerce and Industry, the Department of Agriculture and Natural Resources, the Department of Finance, the National Economic Council, the Presidential Economic Staff, the Central Bank of the Philippines and the Tariff Commission, to be designated by the respective office heads.

The Inter-Agency Technical Committee is hereby authorized to call upon any officer or employee of any department, bureau or agency of the Government and to form such Sub-committees as may be needed to assist the Inter-Agency Committee in the proper discharge of its functions.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO, JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 60
CREATING AN ADVISORY COUNCIL ON EDUCATION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create an Advisory Council on Education composed of the following:

The Secretary of Education	Chairman
Dr. Sotero Laurel	Member
Dr. Waldo Perfecto	Member
Mr. Augusto Ceasar Espiritu	Member
The Director of Public Schools	Member

The Council shall have the following functions:

1. Study and make recommendations on reforms in the present system of public and private education in the Philippines in conformity with the educational objectives laid down in the Constitution and as may be justified by the changing social, political and economic conditions;
2. Advise the President on basic educational policies with a view to formulating an integrated educational pattern for the whole country and coordinating our educational scheme with such standards as may be set up by the United Nations Educational, Scientific and Cultural Organization (UNESCO);
3. Conduct studies, investigations, surveys in all phases of vocational education to guide the Government in formulating policies with respect to the development of the different trades and industries in the country; and
4. Such other functions as may be assigned to it by the President.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 61
SUSPENDING MR. JULIO ABAD FROM OFFICE AS MUNICIPAL JUDGE OF TANZA, CAVITE.

This is an administrative proceeding instituted motu proprio by the Department of Justice against Municipal Judge Julio Abad of Tanza, Cavite, for dereliction of duty for refusing to issue a search warrant to the Philippine Constabulary command to conduct a search in certain houses in Barrio Amaya, Tanza, Cavite, suspected to contain untaxed “blue seal” cigarettes. Both the District Judge of Trece Martires City who investigated the case and the Undersecretary of Justice found respondent guilty of the charge but recommended varying penalties: the former, that respondent be fined in an amount equivalent to five days’ salary, and the latter, that he be suspended from office without pay for two months.

The following facts are duly established by the evidence.

On June 16, 1966, about 4:30 P.M., Capt. Orlando Antonio of the Philippine Constabulary went to respondent’s office at the municipal hall of Tanza, Cavite, to secure a search warrant. With him were his two witnesses and the necessary papers. Finding respondent’s office closed, he forthwith proceeded to Barrio Amaya, Tanza, where the houses sought to be searched are located. In the immediate vicinity, Capt. Antonio found his superior officer, Col. Rizalino Garcia, PC Provincial Commander of Cavite, who informed him that another officer, Col. Rodrigo Tecson, was already in respondent’s house (also in Barrio Amaya). Col. Garcia instructed Capt. Antonio to proceed to the house of respondent with the two witnesses and the necessary papers. At respondent’s house, Capt. Antonio was informed by Col. Tecson that respondent would not issue the search warrant requested because he does not hold office in the afternoon. Capt. Antonio offered their services and their jeep to get the seal of the court at respondent’s office, but respondent refused the offer, stating that his clerk was no longer in the court and that he himself does not hold office in the afternoon.

The principal fact that respondent refused to issue the search warrant is not denied or disputed. To justify, however, his action, respondent maintains:

That it was almost dusk when the constabulary officers sought the issuance of the search warrant and it was therefore inconvenient for him to go to his office in the town hall to conduct the examination of the witnesses;

That it is not true that the officers, Col. Tecson and Capt. Antonio, offered to accompany him in their jeep, but this notwithstanding, he would have declined such offer because he does not want to receive services from party litigants;

That he is a sickly man, suffering from high blood pressure, and on that particular afternoon he was indisposed;

That the key to his office was in the possession of his clerk who had gone to Manila that afternoon to attend school; and

That he does not like to issue search warrant at night because should the search be finished at an unholy hour, he would have to be awakened to accept custody of the goods or articles seized for under

the Revised Rules of Court, such articles must, after completion of the search, be forthwith delivered to the court which issued the warrant.

Respondent's defenses, which will be discussed one by one, are devoid of merit.

Regarding his first defense that it would have been inconvenient for him to proceed to the Municipal hall to conduct the examination of the witnesses, the records show that when he was asked if he could not have conducted the examination in his house, respondent countered that he had previously requested the permission of the Department of Justice for him to hold office in the house, but such request was denied, with instructions to always hold office in the municipal hall. Respondent's explanation, to say the least, is unconvincing. As aptly observed by the investigator, for a judge to hold office and court session permanently in his house cannot be permitted under any circumstance; but for a judge to conduct in his house the examination of witnesses in connection with an application for a search warrant is entirely different from holding office and session in his house permanently, provided his house is within the territorial jurisdiction of his court. At any rate, had he proceeded to the town hall to conduct the examination, it would not have entailed arduous inconvenience. Mere inconvenience on the part of a magistrate is no legitimate excuse for failing to cooperate with peace officers, especially in urgent matters such as the search for contraband of places well known to be landing sites of such commodities.

As to the second defense, when the Philippine Constabulary and other police agencies apply for search warrants, they are not considered party litigants, because in doing so, they are merely performing their official duties. Hence, it would not be improper for a judge to accept their assistance to take him in their vehicle, not for the personal use or purpose of respondent, but merely to dispose with dispatch a pressing official matter.

The third defense of respondent deals on his alleged sickly condition. However, no evidence whatsoever was adduced to support this averment. Neither a physician nor even respondent's wife was introduced to corroborate him. Moreover, respondent did not inform the constabulary officers of his alleged indisposition on that afternoon of June 16, 1966, which has therefore the earmarks of an afterthought.

Again, respondent was not corroborated by any witness on his fourth defense that the key to his office was in the possession of his clerk who had gone to Manila to attend classes. It would have been too easy for him to present the clerk to prove this point.

Respondent's last defense centers again on the probable inconvenience which might have caused him had he issued the search warrant to be served at nighttime, in that should the search be terminated at midnight, he would have to be awakened at such an hour to receive the goods or articles seized. Respondent's interpretation of the word "forthwith" used in Section 11, Rule 126 of the Revised Rules of Court is a clear misconception. Such term means that the goods or articles or papers seized must be delivered to the court as soon as possible or practicable, and not necessarily at any hour or time. Again, it must be emphasized that a public servant, especially one in respondent's position, must not refuse to perform his duty merely because of some personal inconvenience. Public service entails sacrifice which government men must be ready to make.

Although it may be said that respondent acted without malice or bad faith, in adamantly refusing to issue the search warrant applied for simply because of the inconveniences which might be caused him, he displayed poor judgment and apparent indifference to the national effort to eradicate smuggling. Parenthetically, it may be stated that a search warrant was obtained from the District Judge of Trece Martires and the search yielded positive results.

In view of the foregoing, I find respondent guilty of dereliction of duty.

Wherefore, and upon the recommendation of the Undersecretary of Justice, Mr. Julio Abad is hereby suspended from office as Municipal Judge of Tanza, Cavite, for a period of two (2) months without pay, effective upon receipt of notice hereof, and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 27th day of May, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 62

AMENDING ADMINISTRATIVE ORDER NO. 51 DATED MAY 4, 1967, CREATING A
COMMITTEE TO PASS UPON AND COORDINATE THE ESTABLISHMENT OF RADIO
STATIONS AND ISSUANCE OF RADIO FREQUENCIES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend the composition of the committee created under Administrative Order No. 51 dated May 4, 1967, as follows:

Press Secretary Jose D. Aspiras	-----	Chairman
The Chief of Signal Officer, Signal Corps		
Armed Forces of the Philippines	-----	Member
The Chief, Radio Control Office	-----	Member

Done in the City of Manila, this 9th day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 63

AMENDING ADMINISTRATIVE ORDER NO. 51 DATED MAY 4, 1967, CREATING A
COMMITTEE TO PASS UPON AND COORDINATE THE ESTABLISHMENT OF RADIO
STATIONS AND ISSUANCE OF RADIO FREQUENCIES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend the composition of the committee created under Administrative Order No. 51 dated May 4, 1967, as follows:

“Press Secretary Jose D. Aspiras	Chairman
Undersecretary of Defense for Munitions Manuel Syquiao	Vice-Chairman
The Chief Signal Officer, Signal Corps Armed Forces of the Philippines	Member
The Chief, Radio Control Office	Member

Done in the City of Manila, this 22nd day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 64
CREATING A COMMITTEE TO EFFECT THE TRANSFER OF IWAHIG PENAL COLONY.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to determine a new site for the Iwahig Penal Colony, to work out the transfer of the colony to the new site, and to effect the development of the area to be vacated into productive agricultural land, composed of the following:

The Undersecretary of Justice	-----	Chairman
The Governor, Land Authority	-----	Member
The Undersecretary of Agriculture	-----	Member
Congressman Ramon V. Mitra	-----	Member
Ex-Congressman Gaudencio E. Abordo	-----	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need to carry out its task.

The Committee shall submit its report to the President within one month from the date hereof.

Done in the City of Manila, this 22nd day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 65
AMENDING ADMINISTRATIVE ORDER NO. 123 DATED MAY 6, 1965, ENTITLED
“CREATING THE COMMITTEE ON REGIONAL PLANNING.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend the composition of the Committee on Regional Planning created under Administrative Order No. 123 dated May 6, 1965, so as to include a representative from the National Planning Commission as member thereof.

Done in the City of Manila, this 22nd day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 66

DISQUALIFYING ANY PERSON, NATURAL OR JURIDICAL, WITH PENDING CASE WITH THE BUREAU OF INTERNAL REVENUE OR BUREAU OF CUSTOMS OR CRIMINAL OR CIVIL CASE AGAINST HIM OR IT INVOLVING NONPAYMENT OF ANY TAX, DUTY OR UNDERTAKING WITH THE GOVERNMENT FROM PARTICIPATING IN PUBLIC BIDDINGS OR ANY CONTRACT WITH THE GOVERNMENT OR ANY OF ITS BRANCHES, SUBDIVISIONS OR INSTRUMENTALITIES.

WHEREAS, government contracts of whatever nature should, as a matter of policy, be awarded to solvent or law-abiding persons or entities; and

WHEREAS, it is deemed in the best interest of the Government that persons or entities with any pending case before the Bureau of Internal Revenue or the Bureau of Customs or criminal or civil case in court for nonpayment of tax, duty or undertaking with the Government, be disqualified from participating in public biddings or in any kind of contract with the Government until such pending case or cases are terminated in their favor;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the disqualification of any person, natural or juridical, with a pending case before the Bureau of Internal Revenue or the Bureau of Customs or criminal or civil case in court pending or finally decided against him or it involving nonpayment of any tax, duty or undertaking with the Government, to participate in public biddings or in any contract with the Government or any of its subdivisions, branches or instrumentalities, including government-owned or controlled corporations, until after such case or cases are terminated in his or its favor; or unless the Secretary of Finance shall certify that such cases are pending and not decided without fault on the part of the taxpayer and the taxpayer submits bond for payment of taxes that may be assessed against him.

Government offices, entities and instrumentalities and local governments shall impose this condition and shall require, in addition, the latest certified copy of BIR Letter of Confirmation Form No. 19.65-E-1 and BIR tax clearance Form No. 17.61 as prerequisites to participation in any public bidding or execution of any contract with them. Violation of this order shall be a ground for administrative action.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 67
REMOVING MR. PASCUAL BELTRAN AS MUNICIPAL JUDGE OF BUENAVISTA, ILOILO.

This is an administrative case filed by Mr. Susano Tayo against Mr. Pascual Beltran, municipal judge of Buenavista, Iloilo, for undue delay in deciding Criminal Cases Nos. 225 and 256; gambling on official time during which he recorded himself as present in office; drunkenness during office hours and making threats while drunk; persecuting the complainant and falsely accusing him of a crime; challenging another for reporting abuses of his (respondent's) son; protecting a terrorist gang; slander and threatening bodily harm; pointing a pistol at another; and intimidating the complainant's witnesses.

The charges were investigated by District Judge Pantaleon A. Pelayo who found respondent as having tolerated abuses committed by his son, Pascual Beltran, Jr.; played mahjong on official time; got drunk in public places; threatened people; and reported late to his office.

A review of the evidence substantially supports the findings of the investigating judge. Respondent's playing mahjong on official time is supported by the testimony of complainant's witnesses Felix Benito and Alicia Gabrido, besides complainant himself. This testimony is corroborated to some extent by Julita Gallo, who admitted that mahjong was played in her house and that respondent, who lived nearby, also played there. His coming late to office is supported by the testimony of Atty. Mario P. Buenvenida, aside from the complainant, who declared that on December 23, 1957, when he appeared in respondent's court as private prosecutor in Criminal Case No. 225, the respondent arrived at 11:30 o'clock in the morning.

The finding that respondent got drunk in public places is based on the testimony of the complainant and his witnesses, Alicia Gabrido and Flora J. Lopez; that he was in the habit of making threats is borne out by the testimony of Alicia Gabrido, Angelita Gabrido Serrano, Enrique Cortez, Flora J. Lopes, Roque Gapit and the complainant; that he tolerated the abuses of his son, Junior, is supported by the testimony of Alicia Gabrido who declared that, when Junior tried to slap her, the respondent shouted abusively at her, challenged her to have her elder brother fight with him and threatened her with criminal charges. Angelita Gabrido Serrano also testified that when she and her sister reported Junior to the Constabulary for having aimed a pistol at her brother, the respondent threatened to have them imprisoned.

Besides the findings of the investigating judge, the evidence also shows that the respondent neglected his duty in Criminal Case No. 256 of his court when he ignored and failed to act on written manifestations filed by Atty. Mario P. Buenvenida, as private prosecutor, that the accused in said case be ordered to explain his failure to appear at a scheduled hearing and defray the expenses incurred by the prosecution witnesses for their appearances. He also failed to act on the request of the same attorney for a copy of the decision in said case.

The irregularities committed by the respondent are sufficiently serious which render him unfit to remain in the public service, particularly in the judiciary.

Wherefore, Mr. Pascual Beltran is hereby removed from office as Municipal Judge of Buenavista, Iloilo, effective upon receipt of a copy of this order.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 68
REMOVING MR. PEDRO SAN ROQUE FROM OFFICE AS MUNICIPAL JUDGE OF VIRAC,
CATANDUANES

These are four administrative cases against Mr. Pedro San Roque, Municipal Judge of Virac, Catanduanes, for serious misconduct and inefficiency. The charges were jointly investigated by District Judge Feliciano A. Gonzales, who found respondent guilty in Cases Nos. 24, 25 and 26, and recommended his exoneration in Case No. 27.

In Administrative Case No. 24, Francisco Zuniega testified that in the course of the hearing of the forcible entry case which he filed, respondent conducted an ocular inspection of the land in dispute; that respondent, together with his clerk, a policeman and the lawyers of both parties, took a jeep in going to the land, which was eleven kilometers away from Virac; that, after the inspection, respondent asked ₱40.00 from him which he gave thinking that the amount was in payment for the inspection; and that, when he later saw, respondent about the resumption of the trial, respondent again asked him for ₱30.00, which he paid believing that it was for costs.

Respondent admitted that Zuniega paid ₱40.00 for the hire of the jeep used in the ocular inspection. His explanation of this payment is, however, highly unsatisfactory. First, as pointed out by the investigating Judge, the payment was excessive, considering the short distance travelled. Secondly, although respondent explained that each party was to pay ₱20.00 for the expenses of the inspection, he admitted that the whole amount of ₱40.00 was collected from Zuniega without any effort made to have the other party pay his share. Thirdly, respondent could not say who hired the jeep. After admitting that he hired it for ₱40.00, he declared later that he instructed his clerk to hire a jeep. This, however, was denied by the clerk. Fourthly, neither respondent nor his clerk could identify either the owner or driver of the jeep. Finally, although respondent's clerk admitted having paid to the driver of the jeep the ₱40.00 collected from Zuniega, no effort was made to obtain a receipt for the amount.

These irregularities tie in with the fact observed by the investigating Judge, that respondent took an unusual interest in the expenses of the ocular inspection when such matters are ordinarily and customarily left to the disposition of the parties themselves and their attorneys. Under the circumstances, respondent's lack of good taste and delicacy induces, in the words of the investigating Judge, "a strong suspicion against the honesty and integrity of the respondent," supporting the testimony that he collected ₱70.00 from Zuniega and tending to show that he appropriated the money for himself.

In Administrative Case No. 24, Teofila Mendez testified that when her son was accused of theft in respondent's court, the latter asked her for ₱150.00 for the withdrawal of the case; that she paid respondent ₱140.00 in installments; and that she did not hire a lawyer for her son. When she was shown a receipt for ₱140.00 in her favor, signed by Atty. Dominador Monjardin, she denied having given Atty. Monjardin such amount.

In his defense, respondent denied having received any money from Mrs. Mendez while admitting that the woman offered him ₱140.00 to fix the case. Respondent explained that the money was taken

by Atty. Monjardin, who accompanied Mrs. Mendez; that Atty. Monjardin signed a receipt on the envelope which contained the money, which receipt Mrs. Mendez gave to him (respondent); and that he imposed a fine, of ₱15.00 on the son of Mrs. Mendez, which was paid by Atty. Monjardin, as shown by the official receipt in the latter's name.

In rebuttal, Atty. Monjardin denied having acted as counsel for the son of Mrs. Mendez and explained that he signed the receipt at the request of respondent, who was his friend and former law partner; that he and respondent were alone at the time; that he did not receive any part of the amount stated in the receipt; and that he did not pay the fine imposed on the son of Mrs. Mendez.

I agree with the investigating Judge in giving credence to the testimony of Mrs. Mendez and Atty. Monjardin. Respondent has not satisfactorily explained why the receipt signed by Atty. Monjardin in favor of Mrs. Mendez was in his (respondent's) possession. In fact, I see no logical reason why Mrs. Mendez, to whom the receipt belonged, would turn it over to respondent. Just as illogical was respondent's acceptance of the receipt from Mrs. Mendez considering his testimony that he had refused the money when offered to him by Mrs. Mendez to fix the case. The version of Mrs. Mendez and Atty. Monjardin is thus the most reasonable explanation of the receipt and its possession by respondent.

This version is also borne out by the penalty imposed by respondent on the son of Mrs. Mendez. To quote the investigation report:

“... The atmosphere of the case, as revealed by the evidence, points to a vicious but ill-conceived scheme on the part of the respondent in manipulating the disposal of the case without arousing hostility from the offended party in view of the apparent guilt of the accused while at the same time partially fulfilling his commitment by imposing a fine instead of imprisonment which, while not entirely in accord with his undertaking to settle the case, created no serious embarrassment for Mrs. Mendez and her family because her son was never incarcerated. I find this conclusion as the most logical inference because the charge against the son of Mrs. Mendez was for theft of a pair of pliers worth Five (₱5.00) Pesos, which is punishable by *arresto mayor* in its minimum and medium periods under paragraph 6 of Article 309 of the Revised Penal Code and, even if the accused had pleaded guilty as shown by the record and the respondent had chosen to give the minimum of the minimum penalty under the Code, the penalty should have been at least one (1) month and one (1) day which is the absolute minimum of the minimum period of *arresto mayor*. And yet the respondent imposed only a fine of ₱15.00 without reason and such undue leniency can only be explained by the fact that he had received, as charged, some material consideration from the mother of the accused.”

With respect to the issuance of the official receipt for the payment of the fine in the name of Atty. Monjardin, as observed by the investigating Judge, “the suspicion cannot be avoided that the payment of the fine of ₱15.00 imposed by the respondent could have been manipulated by him thru some unidentified party although the receipt was made in the name of the attorney.”

In Administrative Case No. 25, respondent admitted that, on August 24, 1965, he issued a certificate postdated August 28, 1965, stating that one Sgt. Eugenio B. Vienes had been in Virac from August 24 to 28, 1965. Respondent denied that the certificate was false, explaining in his formal answer to the charge that he signed the certificate “with a clear instruction that the certification will

not be binding and valid unless it is properly sealed with my official seal and that he should come to the office on the date as mentioned x x x;" and that Sgt. Vienes failed to return to his (respondent's) office on August 28 to have the certificate sealed.

I am not satisfied with this explanation. The alleged oral conditions on the issuance of the certificate cannot justify the issuance of the certificate postdated. Besides, the affixing of the seal was not necessary to the validity of the certificate. Under Section 80 of the Judiciary Act (Republic Act No. 296), the use of a seal of office shall not be necessary to the authentication of any paper, document, or record signed by a municipal judge or emanating from his office except when he acts as notary public ex-officio. Consequently, in postdating the certificate, respondent even technically committed the offense of falsification under paragraph 2 of Article 174, Revised Penal Code.

Respondent cannot invoke good faith in issuing the certificate since Sgt. Vienes did not transact any official business with him. As emphasized by the investigating Judge, "the respondent ought to have known that the issuance of that certificate was not a judicial function because Sgt. Vienes' mission in Virac had nothing to do with any action or proceeding in his court and it was not incumbent upon him to issue the certificate not only because the mission was unknown to him but because the sergeant belonged to an entirely different department of the government and could have gotten that certificate from the proper source having connections with his office." Moreover, the certificate could have been improperly issued by Sgt. Vienes. If, for instance, the sergeant committed an offense outside Virac during the period covered by the certificate, that certificate could have given him an almost foolproof alibi considering that it was issued by a member of the bench. I therefore agree with the Judge that respondent's act was one "of indiscretion amounting to crass ignorance and stupidity."

In Administrative Case No. 26, it is undisputed that in Criminal Case No. 944 of the Municipal Court of San Andres, Lorenzo and Emeniano Lucero were charged with qualified theft for stealing 300 coconuts valued at ₱30.00 from a coconut plantation. The accused were arrested and their bail fixed at ₱2,000.00 each. Only the accused Emeniano was able to post bail. When respondent was designated to act as Municipal Judge of San Andres, he issued an order granting a motion to amend the complaint by changing the designation of the offense charged to simple theft and reducing the bail of the accused to ₱300.00 each. Thereafter, he inserted the name of the accused Lorenzo in the bail bond posted by Emeniano and ordered the release of Lorenzo.

Respondent explained that he approved the amendment of the complaint because the change was justified by the allegations of the complaint, and that he believed the bail bond of Emeniano Lucero sufficient in amount to include his co-accused because of the reduction of the bail. This explanation is not satisfactory because, with respect to the amendment of the complaint, Article 310 of the Revised Penal Code specifically designates as qualified the theft of coconuts taken from the premises of a plantation. Also, Lorenzo's inclusion in the bail bond posted by Emeniano without the knowledge and acquiescence of the bondsmen was patently irregular, to say the least. A bond executed for one accused cannot be applied subsequently to another accused without falsifying the document, a separate bond being necessary for an accused not originally included in the previous bond. If Lorenzo had absconded, the bondsmen could not have been held liable on their bond because the bond they posted was only for Emeniano. Accordingly, I agree with the investigating Judge that, although there was no actual malice or bad faith in respondent's actuations, "he has shown ignorance of the law and a very poor understanding of procedure, even on such a simple matter as the filing of a bail bond, considering that he has been on the bench for many years."

In addition to the findings of the investigating Judge against respondent, the evidence in Administrative Case No. 27, shows that, in a criminal case pending in respondent's court, he admittedly allowed the affiant in one of the affidavits supporting the complaint to change the name of the accused

in his affidavit. Respondent's explanation is that he merely gave due course to the desire of the affiant to correct his sworn statement, there being no need for affiant to execute another affidavit.

This explanation is untenable. The affidavit was taken by a policeman thru question and answer and was subscribed and sworn to before respondent himself on October 11, 1965. The criminal complaint, partly based on the affidavit, was filed with respondent on October 12, 1965. Since the affidavit has become part of the record of a docketed criminal case, the change made by the affiant, and authorized by the respondent, was in effect a retraction of the affidavit which should not have been made thru an informal change in the affidavit itself but thru formal testimony at the hearing of the case in open court.

After examining and evaluating the evidence on record, I find respondent guilty of serious misconduct and inefficiency in office. In view of the gravity of the irregularities committed, and as recommended by the Undersecretary of Justice, Mr. Pedro San Roque is hereby removed from office as municipal judge of Virac, Catanduanes, effective upon receipt of a copy of this order.

Done in the City of Manila, this 26th day of June, in the year of Our lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

BY THE PRESIDENT:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 69
SUSPENDING MR. LORENZO B. TECSON FROM OFFICE AS MUNICIPAL JUDGE OF SAN MIGUEL, BULACAN.

This is an administrative case filed by Dr. Marcelo Lipana against Municipal Judge Lorenzo B. Tecson of San Miguel, Bulacan, for ignorance of the law and issuance of an unjust interlocutory order in connection with his actuations in Criminal Case No. 2111 (for robbery) of his court resulting in complainant's arrest. The district Judge, who investigated this case, found that respondent, in ordering the arrest of complainant, acted with undue haste and without investigating carefully the prosecution witness and recommended that he be reprimanded. However, the Undersecretary of Justice, while concurring in the investigator's findings, is for imposing a stiffer penalty of suspension for three (3) months without pay.

The records show that Criminal Case No. 2111 was filed in respondent's court on May 3, 1965, against Vicente Dantes and John Doe @ Daniel for alleged robbery of a carbine belonging to a certain Moises Lazaro. After conducting the first stage of the preliminary investigation during which PC Sergeant Alberto Español, Rafael Roura and Moises Lazaro were presented as witnesses, respondent issued a warrant of arrest against Dantes and fixed his bail bond at ₱8,000. Two days later, or on May 5, 1965, complaining witness Roura, through counsel, moved for the amendment of the criminal complaint so as to include Dr. Marcelo Lipana, complainant herein, on the ground that it was he who had induced the accused to commit the aforesaid crime. The complaint was subsequently amended and after the presentation of the chief of police of San Miguel, Bulacan, as additional witness, respondent forthwith ordered the arrest of Dr. Lipana and likewise fixed his bail at ₱8,000.

During the formal investigation of the case respondent neither appeared nor presented any evidence in his defense despite several postponements thereof by the investigator to enable him to confront and cross-examine the complainant. Instead, he submitted his answer to the charges justifying his actuation on the Supreme Court ruling that the resolution of a municipal judge in determining the existence of a probable cause, upon presentation of sufficient facts, for the purpose of issuing a warrant of arrest is discretionary in nature and is not reviewable by a superior court, as his conclusion thereon is final and conclusive (U.S. vs. Ocampo, 18 Phil. 1). Respondent concluded that in allowing the inclusion of complainant as one of the accused and issuing the corresponding warrant of arrest, he acted equitably, fairly and within the bounds of law and decided jurisprudence on the matter and therefore he could not be held administratively liable.

Respondent would seem to imply from the Supreme Court's doctrine that as municipal judge, he could not be held administratively liable for concluding that Dr. Lipana was probably guilty of the crime charged and ordering his arrest. This is untenable. As aptly observed by the Undersecretary of Justice:

“The doctrine, to my mind, merely lays the principle that the resolution of a municipal judge in determining the existence of probable cause for the purpose of issuing a warrant of arrest is not reviewable by a superior court in proceedings either to revoke a warrant of arrest issued by the judge or to compel its issuance by writ of mandamus if the judge refuses to issue one. In other words, his power in that regard is discretionary. But the principle, in my opinion, cannot extend to providing the municipal judge with absolute immunity from administrative action if his actuations are found to be plainly arbitrary, patently irregular, or manifestly unjust.”

The Investigating Judge, with whom the Undersecretary of Justice concurs, found that the preliminary examination conducted by respondent in the criminal case was completely devoid of any circumstance which would reasonably tend to link complainant to the commission of the crime. In the investigation conducted by respondent on May 3, 1965, no mention of his (complainant’s) name whatsoever was made by the above-mentioned witnesses to implicate him in the criminal offense. Even the testimony of the chief of police on May 5, 1965, which later became the basis for respondent’s inclusion of complainant as one of the accused, failed to yield any hint or suggestion that respondent had something to do with the alleged robbery. On the contrary, the chief of police testified that complainant and his overseer, Dantes, went to his residence and reported that the latter seized the carbine of Lazaro after he caught him plowing complainant’s land and destroying the fence thereof and that respondent even sought his advice on what to do with the firearm. The chief of police then advised complainant to report the matter to the PC authorities.

A little care on respondent’s part in assessing the testimony of the chief of police and due regard for complainant’s rights would have deterred him from acting rashly and thereby spared complainant the humiliation of being arrested and the inconvenience of having to post a bond for his provisional liberty. Thus, the investigating judge observed:

“... If only the respondent judge had personally asked ‘searching questions’ enjoined upon him as investigator of a crime, if only he had not acted as quickly as he did and instead took pains to gather more evidence, considering that he is from the same town and is quite familiar with all these persons, and the necessity of acting immediately on the arrest of Dr. Lipana does not appear, he would have conducted himself in a manner that will not invite suspicion or criticism. As it is, even if Dr. Lipana were to be absolved in the second stage of the preliminary investigation, the harm has already been done, as he was arrested and had to post a bond – this on the morning of the town fiesta of San Miguel.”

Under the circumstances, respondent’s actuations in ordering the immediate arrest of complainant on the strength of the testimony of the chief of police, which did not in any way implicate him, belies respondent’s contention that it was done in a regular manner and in accordance with law.

Wherefore, and upon the recommendation of the Undersecretary of Justice, Mr. Lorenao B. Tecson is hereby suspended from office as municipal judge of San Miguel, Bulacan, for three (3) months without pay effective upon receipt of a copy hereof, with a warning that repetition of similar offense will be sufficient cause for his removal.

Done in the City of Manila, this 26th day of June, in the Year of our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 70
REMOVING MR. ROMEO P. LAURENTE FROM OFFICE AS MUNICIPAL JUDGE OF
MATAG-OB, LEYTE.

This is an administrative case filed by Lorenzo D. Dima-ala and Pedro Carlobos against Municipal Judge Romeo P. Laurente of Matag-ob, Leyte, for partiality in the disposition of Criminal Case No. 95 of his court resulting in the acquittal of the accused for insufficiency of evidence.

The records show that respondent is the godfather of the son of the accused in Criminal Case No. 95 of his court for estafa. The initial hearing of the case was set for February 25, 1963. On February 9, 1963, counsel for the accused filed a motion for postponement which was granted in an order dated February 16, 1963. However, complainant Dima-ala, the private prosecutor and their witnesses appeared before the court on February 25, 1963, because they had not been informed of the postponement.

The court thereafter set the hearing for April 15, 1963, but on April 12 defense counsel again filed a motion for postponement on the ground that his client, a Philippine Constabulary sergeant stationed at Camp Murphy, had much work and lacked travel funds, and that he himself was busy with other cases. Respondent granted the postponement in his order of April 15, 1963, stating that the prosecution was ready for trial but that the defense failed to appear. The case was reset for May 6, 1963. On May 3, 1963, counsel for the accused filed an urgent motion for postponement because of illness of the accused. Dima-ala, his lawyer and witnesses were present on May 6, 1963, and learned that respondent was on leave. On this date, Dima-ala was informed by Municipal Judge Demetrio D. Sarit, who was assigned to act during the absence of the respondent, that the latter had postponed the hearing for May 29, 1963. Upon Dima-ala's petition, however, Judge Sarit reset the hearing for May 24, 1963, instead of May 29, 1963, as scheduled by respondent.

On May 18, 1963, defense counsel filed another motion for postponement, stating that the accused was still sick and could not appear at the hearing set for May 24, 1963. He also filed on May 22, 1963, a similar motion for the postponement of the hearing on May 24, 1963.

Respondent admits that the private prosecutor appeared on May 24, 1963, thereby impliedly admitting too that no notice was sent him regarding the postponement of the trial. On this date, the private prosecutor was allegedly advised by respondent not to appear at the hearing on May 29, 1963, but Dima-ala disputes this claim and the records tend to support his contention, the order setting the trial for July 10, 1963, having been issued on May 31, 1963.

On July 10, 1963, respondent began the trial after waiting for some time for the private prosecutor. At that time, only Catalino Denoy, the other offended party besides Carlobos, was present. Because the chief of police was not available, respondent designated a policeman in charge of the office to represent the prosecution, and respondent himself conducted the direct examination of Denoy as the only prosecution witness. After Denoy's testimony and on motion of counsel for the accused, respondent dismissed the case for insufficiency of evidence. Dima-ala admits that he, Carlobos and the private prosecutor arrived one hour after the trial began. Respondent asserts, however, that he

promulgated his decision immediately, explaining that the case for the prosecution was not weakened by the absence of complainants.

Apparently, respondent committed serious errors in failing to notify complainants of the postponements of the case. Dima-ala had to come all the way from Tacloban City and the private prosecutor from Ormoc City, for no other purpose than to appear before respondent's court only to find out that the hearings had been invariably postponed. Although respondent insists that he did not have time to notify complainants of the postponements, the records show that neither the accused nor his counsel was present on such dates, indicating confidence on their part that respondent would grant their motions for postponement as in fact he did. Moreover, as observed by the investigator, it would not take an hour for the notice from respondent to reach Carlobos, a resident of Matag-ob, and notices to Dima-ala at the PC headquarters in Ormoc City and the prosecutor at the same place could have been sent through any bus conductor. Considering respondent's close association with the accused, being his compadre, his invariable acquiescence to the motions for postponement and his failure to even notify herein complainants of such postponements unquestionably betray his partiality toward the accused.

Furthermore, respondent undertook the trial on July 10, 1963, by merely designating a policeman who had nothing to do with the case to represent the prosecution. He conducted the direct examination of the prosecution witness, acting thereby as both prosecutor and judge, to the serious prejudice of the case for the prosecution in view of his ill-concealed sympathy for the other side. The final stage of his efforts to free the accused was his refusal to hear at least the testimony of herein complainants as prosecution witnesses when they, together with the private prosecutor, arrived after he had granted the motion to dismiss. As observed by the Department of Justice, "His ruthless determination to perpetrate an injustice consequently bears out the charge of herein complainants that the repeated postponements of trial were deliberately intended by respondent to exhaust the prosecution and pave the way for the ultimate acquittal of the accused."

In view of the foregoing, I find respondent guilty of partiality in the performance of his duties to such a degree as to render him totally unfit to remain in the judiciary.

Wherefore, Mr. Romeo Laurente is hereby removed from office as municipal judge of Matag-ob, Leyte, effective upon receipt of a copy of this order.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 71
REMOVING MR. ABSTINENCIO B. LOBITAÑA FROM OFFICE AS MUNICIPAL JUDGE OF
DUMINGAG, ZAMBOANGA DEL SUR.

This refers to the administrative case instituted by Pablo Galleon against Municipal Judge Abstinencio B. Lobitaña of Dumingag, Zamboanga del Sur, for bribery in that he dismissed Criminal Case No. 266 of his court in consideration of fifty pesos.

Originally, complainant charged respondent with various irregularities in connection with criminal cases pending before his court wherein complainant was involved. However, District Judge Mariano V. Benedicto confined the formal investigation to the circumstances surrounding the dismissal of Criminal Case No. 266 for frustrated murder wherein Pablo Galleon (complainant herein) was the offended party against his father (Gregorio Galleon), his two brothers and Fernando Mangompit. Said criminal case was filed on November 15, 1961, and dismissed by respondent judge on October 16, 1962, or eleven months after.

Complainant presented two witnesses, Gregorio Galleon (accused in Criminal Case No. 266) and Pantaleon Nazareno. The first testified that on the morning of October 16, 1961, while waiting for the trial of said criminal case, respondent judge called him inside his office and borrowed from him fifty pesos so that the criminal case would be dismissed; that Galleon immediately left and borrowed from Pantaleon Nazareno the amount after intimating to the latter that Judge Lobitaña had promised to dismiss the criminal case for fifty pesos; that upon delivery of the amount, respondent told him to wait for the order of dismissal; and that on that same morning he was released from custody after eleven months of detention.

Corroborating Galleon, Nazareno testified that he loaned to the former on October 16, 1961, the amount of fifty pesos after Galleon had told him that the money would be given to respondent in consideration for the dismissal of the criminal case wherein Galleon was one of the accused.

Respondent denied the charge and presented his sole witness, Vice-Mayor Segundo Ando, who testified that on the morning of October 16, 1961, he was present, together with the four accused and their lawyer, the chief of police and several others, in the sala of respondent judge when Criminal Case No. 266 was called for hearing and that respondent did not borrow money from Galleon. Respondent claimed that he dismissed the case upon the insistence of the counsel for the accused.

The Investigating Judge found that the respondent failed to justify the delay of eleven months in disposing of the criminal case in question; that the respondent deliberately delayed the case in order to weaken the accused who were detention prisoners so that they could become his easy victims; that as a matter of fact, when the respondent demanded ₱50 from the accused Gregorio Galleon in consideration for the dismissal of the case, the accused had to borrow money to comply with the demand; that after he succeeded in securing the amount and given the same to the respondent, the latter forthwith issued an order dismissing the criminal case; that respondent's claim that the dismissal of the case was upon the insistence of defense counsel is not supported by the record of the case, the order of dismissal itself making no mention thereof; that the vice-mayor who testified in respondent's favor could not have

known what transpired in the case on October 16, 1962, as he was busy attending the session of the municipal council which, he admitted, was continuous from 8 to 12 o'clock in the morning; and that the respondent failed to establish any sufficient motive why Gregorio Galleon declared against him if it were not true that the dismissal of the case was in consideration of the sum of ₱50 which he had demanded and received.

The findings of the investigator are fully supported by the evidence. In view of the seriousness of the offense committed by the respondent which renders him totally unfit to continue in office, I have no alternative but to remove him from the service as recommended by the Department of Justice.

Wherefore, Mr. Abstinencio B. Lobitaña is hereby removed from office as municipal judge of Dumingag, Zamboanga del Sur, effective upon receipt of a copy of this order.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 72

CONSIDERING MR. JUAN D. TAALA, PROVINCIAL TREASURER OF NEGROS OCCIDENTAL PROVINCE, RETIRED FROM THE SERVICE.

This is an administrative case against Provincial Treasurer Juan D. Taala of Negros Occidental for (a) gross negligence, (b) grave abuse of discretion, (c) illegal disbursement of funds and (d) misuse of trust funds, filed motu proprio by the Department of Finance.

Respondent submitted his answer to the charges and waived formal investigation. The Undersecretary of Finance, as then Acting Secretary, in his report, found the explanations of respondent contained in his answer unsatisfactory and the charges well established and proven. However, considering that respondent has more than 44 years of government service, the Acting Secretary of Finance recommends that respondent be required to retire from the government service.

After going over the records of the case, I concur in the findings of the Acting Secretary of Finance that respondent is guilty of the following:

A. Gross negligence in that:

1) Respondent failed to collect cash advances granted to provincial officers and employees from November 5, 1945, to March 29, 1966, in the total amount of ₱102,836.13 -- in violation of Section 29 of the Revised Manual of Instructions to Treasurers, which requires that cash advances should be liquidated within a period of ten days after the return of the officers or employees from the trip for which the cash advances were secured and under no circumstance shall such cash advances be allowed to remain unliquidated at the end of the fiscal year.

2) Respondent failed to drop from the accounts rice and palay in stock costing ₱2,680.75 and gasoline in stock costing ₱113,110.36 which were no longer existing. In this regard, respondent failed to take steps to recover the cost of the missing supplies and materials under the accountability of the gasoline storekeeper, to protect the interest of the province.

3) Respondent failed to collect long outstanding accounts receivable, thus:

a) From national bureaus and offices (A-4-1) covering the period from 1945 to April 30, 1966- - - - -	₱588,600.46
b) From provinces and chartered cities (A-4-2) covering the period from 1952 to April 30, 1966- - - - -	23,564.36
c) From municipalities (A-4-3) covering the period from 1947 to April 30, 1966 - - - - -	1,777,376.20
d) From provincial officials and employees (A-4-4) covering the period from 1945 to January 28, 1966 - - - - -	27,945.84
TOTAL	₱2,417,486.86

4) Respondent failed to pay within the time required by existing accounting and auditing regulations legitimate obligations of the province to:

a) National bureaus and offices (B-1-1) -----	₱389,827.64
b) Provinces and chartered cities (B-1-2) -----	40,855.71
c) Municipalities (B-1-3) -----	402,168.91
d) Certified obligations (B-1-4) -----	18,325.35
e) Accrued wages (B-1-5) -----	6,547.81
f) Miscellaneous accounts payable (B-1-6) -----	635,642.41
TOTAL	₱1,493,367.83

B. Grave abuse of discretion, committed thus:

1) From June 16, 1958, to April 30, 1966, disbursements covering cost of supplies and materials, public works materials, freight, handling expenses, generating sets, dump trucks, etc., amounting to ₱3,479,737.83 were made and charged against prepayment account (A-8-5) instead of against the provincial funds involved, in clear violation of Sections 56 and 61 of the Revised Manual of Instructions to Treasurers.

2) The share of the general fund from excess income tax of ₱655,461.72 covered by Treasury Warrant No. 01569606 dated October 7, 1965, was taken up under revenue account Ca-64 with the apparent intention of depriving the health, hospital and agricultural funds of their shares of 6%, 5% and 5%, respectively, from said collections. Said income should have been taken under revenue account Ca-14.

C. Illegal disbursement of funds, committed as follows:

1) Under P.T. Vouchers Nos. 3346, 4381, 5756, 7976, 10496 and 12566 dated December 22, 1964, March 19, June 7, and August 5, 1965, respectively, a disbursement of ₱2,292,743.74 covering the cost of 84 Izuzu dump trucks was made. According to the statement prepared by the Property Clerk of respondent's office — and this is admitted by respondent — only 60 trucks of the 84 paid for on said dates had been actually delivered. The amount of ₱655,018.92 covering the cost of the 24 undelivered dump trucks was illegally disbursed.

2) As of April 30, 1966, respondent had disbursements totalling ₱332,992.68 in excess of the authorized appropriations in his budget for fiscal year 1966. This is a violation of Section 614 of the Revised Administrative Code which provides that "Revenue funds shall not be paid out of any treasury except in pursuance of lawful appropriations or other specific statutory authority."

D. Misuse of trust funds, to wit:

Respondent misused trust funds under his accountability in the amount of ₱2,790,548.92, contrary to the provisions of Section 614 of the Revised Administrative Code. The illegal use of said trust funds made possible the payment of the generating sets and dump trucks mentioned in Charge C but prevented the municipal treasurers from withdrawing their municipal deposits to the prejudice of the interest of the municipal governments.

The deposits of the municipalities of the province are appropriated funds deposited by the municipal treasurers with respondent subject to withdrawal by said treasurers from time to time to meet the ordinary and essential service of the municipal governments. These deposits are trust funds under respondent's responsibility, and for such reason, he had no authority to apply, as he did, the same in settlement of the existing obligations of the municipalities or deny the withdrawal thereof.

The charges against respondent are amply supported by the evidence on the record. With respondent's long years of experience and training in local treasury work, it is beyond understanding why he became so grossly negligent in the discharge of his official duties and so bold as to spend trust funds for purposes other than those for which the trusts were created at a time when he was nearing retirement. The offenses committed are sufficiently serious to warrant respondent's removal. Considering, however, that this is his first case in his more than 44 years in the government service, where he has spent the best years of his life, his case may be viewed with some measure of leniency.

Wherefore, Mr. Juan D. Taala is hereby considered retired from the service effective upon receipt of a copy of this order.

Done in the City of Manila, this 2nd day of July, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 73
CREATING THE FISHING PORT MARKET DEVELOPMENT COORDINATING COMMITTEE

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Fishing Port and Market Development Coordinating Committee, hereafter referred to as the Committee, composed of the Director General, Presidential Economic Staff (PES) as Chairman and such other members as he may designate, for which purpose he is hereby so authorized.

In order to hasten the implementation of the various fishing port and market development projects, the Committee is hereby empowered:

1. To negotiate for and obtain such loans as may be necessary to finance the projects;
2. To have such detailed personnel as may be assigned to it by the member agencies and to determine, allocate and apportion among themselves, their proper participation in the project in terms of cost and other pertinent responsibilities;
3. To insure compliance by the participating agencies and instrumentalities of their respective responsibilities as determined by the Committee, subject to the provisions of applicable law;
4. To do everything necessary and expedient to hasten the activation of the project; and
5. To submit monthly progress report to the President.

Done in the City of Manila, this 13th day of July, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 74
ADMONISHING PRESIDING JUDGE MARIANO R. VIRTUCIO OF THE CITY COURT OF
QUEZON CITY.

This is an administrative case against Presiding Judge Mariano R. Virtucio of the City Court of Quezon City for (1) unfitness for office and (2) failure to perform his duty properly. The charges were investigated by District Judge Lourdes P. San Diego who recommended that respondent be exonerated on the first charge and admonished on the other, which recommendation was concurred in by the then Acting Undersecretary of Justice, now Court of Appeals Justice, Ruperto G. Martin.

The records show that on February 20, 1963, complainant Atty. Hermogenes Datuin Jr. and a certain Atty. Prudencio Valido appeared before respondent's sala as private prosecutor and counsel, respectively, in Criminal Case No. I-64096 (People vs. Arturo Francisco et al.); that after both had entered their appearance orally, respondent ordered them to put the same in writing; that Atty. Valido complied with the order, but complainant argued that it was unnecessary, and as a result thereof a discussion ensued between complainant and respondent who stood firm on his order; that complainant then raised his voice, banged his fist on the table and hurled the words, "I challenge the order;" and that at this juncture, respondent ordered the policeman on duty to search complainant for any concealed firearm which was, however, not carried out as the fiscal assigned to respondent's sala stood up and manifested that complainant was not carrying a gun on that day.

Both the Investigating Judge and the then Acting Undersecretary of Justice found satisfactory respondent's explanation that he was compelled to issue the order to protect the dignity of the court and the lives of the persons therein after seeing the defiant and belligerent attitude of complainant who, on previous occasions, had appeared in his court with a gun. Moreover, the witnesses for complainant and respondent unanimously testified that complainant was most disrespectful and arrogant in his behavior at the time of the incident. The District Judge also observed with regret that complainant "sometimes lapsed into conduct bordering on disrespect, and this court has had to remind him in more instances than one to rein in his temper, modulate his voice and contain his language."

I concur in the above findings that the first charge should be dismissed for lack of merit.

As to the other charge, complainant alleges that respondent failed to perform his duty properly for not deciding Criminal Case No. I-29147 (People vs. Hermenegildo R. Zialcita et al.) within the 90-day period required by law from the time it was submitted for decision on March 25, 1962; and that despite respondent's failure to do so, he illegally collected his salary on false certificates of performance for the same period.

In his defense respondent admits that although his decision in the aforesaid criminal case was promulgated on March 9, 1963, the draft thereof was actually prepared by him in longhand on June 16, 1962; that the draft was subsequently misplaced and he had to postpone rewriting the same, as he was confident that he would eventually find it; and that after he found the handwritten draft tucked inside a magazine, he immediately set the case for promulgation on March 9, 1963, and sentence was read to the accused on the same day.

Respondent's explanation on the second charge is not entirely satisfactory. As aptly observed by the Investigating Judge, it would have been in the best interest of the public service and in consonance with prompt administration of justice had respondent taken the trouble of rewriting his decision after the lapse of a reasonable time instead of relying on sheer luck to help him retrieve the lost draft. A little extra effort on his part would have helped justice a long way and he would have proven himself a more dedicated public official.

Wherefore, and upon the recommendation of the Investigating Judge and the Department of Justice, Judge Mariano R. Virtucio is hereby admonished to be more conscientious and dedicated in the performance of his duty in the future.

Done in the City of Manila, this 22nd day of July, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 75

DESIGNATING THE MEMBERS OF THE PHILIPPINE COMMITTEE THAT WILL DISCUSS WITH THE MALAYSIAN GOVERNMENT GROUP FOR THE PURPOSE OF REACHING AN AGREEMENT ON THE MODE OF SETTLEMENT OF THE PHILIPPINE CLAIM TO NORTH BORNEO IN ACCORDANCE WITH THE MANILA ACCORD OF JULY 31, 1963 AND THE JOINT STATEMENT OF AUGUST 5, 1963.

WHEREAS, it is deemed necessary that a Philippine Committee be designated to sit down with a counterpart group of the Malaysian Government for the purpose of reaching an agreement on the mode of settlement of the Philippine claim to North Borneo in conformity with the Manila Accord of July 31, 1963, and the Joint Statement of August 5, 1963;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby constitute and designate the members of the Philippine Committee as follows:

Secretary Narciso Ramos	– Chairman
Senator Lorenzo M. Sumulong	– Member
Congressman Emmanuel Pelaez	– Member
Congressman Manuel Enverga	– Member
Ambassador Eduardo Quintero	– Member

The Philippine Committee is authorized to engage the services of such technical assistants or personnel as may be needed for the negotiation herein referred to.

The necessary expenses that may be incurred by the Committee in the performance of its work shall be chargeable to the Office of the President.

Done in the City of Manila, this 22nd day of July, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 76
ADMONISHING AND WARNING MR. PEDRO ALDEA, CLERK OF COURT OF THE COURT
OF FIRST INSTANCE, BATAAN PROVINCE.

This administrative case was instituted against Clerk of Court Pedro Aldea, Deputy Clerk Eulogio C. Mina, Clerk Ramon S. Angeles, Docket Clerk Cenon L. Rodriguez, Messenger Clerk Alfredo T. Manalo and Janitor Aquino Roque, all of the Court of First Instance of Bataan, for negligence. The case arose from the loss of the records of Criminal Cases Nos. 5174 and 5175 before the Court of First Instance of Bataan, both against Clemenco Abella and others, for kidnapping, in which they were found guilty. After appeal was perfected by the accused and when the records of the cases were about to be forwarded to the Court of Appeals, the same were found missing.

The Presiding Judge of the Court of First Instance of Bataan referred the case for investigation to the Philippine Constabulary contingent stationed in Balanga, Bataan, and after due investigation, it was recommended that Ramon Angeles be held responsible for the loss of the records in question and that respondent Aldea be likewise held administratively responsible for the loss of the same.

The District Judge recommended that Angeles be asked to resign immediately with prejudice to reappointment in the judicial branch of the government and that respondent Aldea be reprimanded and warned to be more careful in the discharge of his duties. This order, however, shall be limited only insofar as Pedro Aldea is concerned, he being a presidential appointee.

The investigation conducted by the Philippine Constabulary disclosed that, with his consent, Ramon Angeles was subjected to a polygraph test and was found “positive, i.e., he had knowledge of the missing court records.” There is also evidence that Angeles was interested in knowing the nature of the decision in the abovementioned criminal cases before its promulgation and that he was fraternizing with the accused therein. Further, it was established that he was the person to whom respondent delegated the duty of taking care of records and that respondent failed to conduct an investigation immediately after the loss of the records of Criminal Cases Nos. 5174 and 5175 was discovered.

Under Section 7, Rule 125 of the old Rule of Court, now Section 7, Rule 136, the clerk of court “shall safely keep all records, papers, files, exhibits and public property committed to his charge . . . ” Therefore, although, respondent in the discharge of his functions had to delegate to his subordinates, such as Angeles, some of his duties, he still remains, by law, to be the person primarily responsible for court records; and because of his failure to take action immediately after the loss was discovered and also his failure to cooperate fully with the Philippine Constabulary during the investigation, he cannot escape liability for the loss.

Wherefore, Mr. Pedro Aldea, Clerk of Court of the Court of First Instance of Bataan, is hereby admonished to be more careful in the discharge of his duties and warned that repetition of the same or similar offense in the future will be dealt with more severely.

Done in the City of Manila, this 24th day of July, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 77
CREATING A COMMITTEE TO STUDY A PROGRAM FOR THE PURCHASE OF MARES AND
STALLIONS FOR BREEDING PURPOSES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to study a program in connection with the utilization of the ₱400,000 from the Philippine Charity Sweepstakes Office for the purchase of mares and stallions for breeding purposes.

The Committee shall be composed of the following:

1. Mr. Anacleto Coronel
Director of Animal Industry- - - - - Chairman
2. Gov. Manuel D. Barreto
Chairman, Board of Director Charity Sweepstakes Office- - - - - Member
3. Mr. Florencio Bagsit
Philippine Horse Breeders Association- - - - - Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need to carry out its functions.

The Committee shall submit its report to the President as soon as possible.

Done in the City of Manila, this 4th day of August, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 78
CONSIDERING DR. RODOLFO T. CAÑOS, UNDERSECRETARY FOR SPECIAL HEALTH
SERVICES, RESIGNED FROM OFFICE.

This is an administrative case against Dr. Rodolfo T. Caños, Undersecretary for Special Health Services, filed motu proprio by the Secretary of Health. Respondent is charged with (1) willful neglect of duty with grave abuse of authority, (2) dishonesty and (3) conduct prejudicial to the best interests of the government, committed while he was Acting Secretary of Health during the period from September 5, 1963, to September 18, 1964, and thereabouts.

A presidential committee was constituted to investigate the above charges. Respondent, however, after repeated and persistent motions for postponement were granted him, adamantly and steadfastly refused to appear before the committee, even after he had been finally warned that no further postponement would be entertained. Thus, the committee after affording respondent all the opportunities to present his evidence was constrained to receive the evidence on the case in his absence, after which it considered the case submitted. The committee found respondent guilty of all the charges and recommended that he be considered resigned from office.

After going over the records of the case, I concur in the findings of the investigating committee. The records show that a regular program audit of the Books of Accounts and operation of the National Orthopedic Hospital for the fiscal year 1963–1964 revealed that for the period from July 1, 1963, to September 30, 1964, the hospital made purchases of supplies materials and equipment amounting to ₱1,351,331.32. Of this amount ₱918,930.76 represented purchases through emergency procurement allegedly under the provision of Section 6, Executive Order No. 302, series of 1940, grossly exceeding the monthly authority of the hospital for emergency purchases in the amount of ₱768,930.76 and resulting in excesses in the reimbursable fund of the National Orthopedic Hospital in the amount of ₱445,608.34, through manipulations in the accounting entries reflected in the emergency purchase orders. These emergency purchases cover more than 900 vouchers. Of this amount, purchases amounting to ₱451,006.72 were made from a few preferred and fly-by-night dealers, whose establishments were either their residences, dress shops or sari-sari stores. Only 91 of the more than 900 vouchers were made available to program auditors. These 91 vouchers represented purchases in the amount of ₱173,526.90; and respondent approved 72 emergency purchase orders of the aforementioned 91 vouchers. The records show that the items were highly overpriced so much so that the amount of overpricing reached an average of 48%, or an overprice of ₱82,554.90 for the 91 vouchers, or ₱441,086.76 for the total emergency purchases of ₱918,930.76, to the damage and prejudice of the government. The 72 emergency purchase orders approved by the respondent covered purchases of senior and junior executive desks and chairs, visitor's lounge, waste baskets, flower pots, curtain materials, linen, floor polishers, laundry soaps, floor mops, plumbing materials, etc., and five purchase orders were for medical equipment such as anesthesia machine, mattresses, roller casters, urinals, etc. None were used for the purchase of medicines. The office equipment, like the desks, tables, chairs, waste baskets, visitor's lounge and the medical equipment, like the anesthesia

machine, were inferior in quality and not according to specifications. The purchases for these items amounted to more than ₱100,000.

Under Section 6 of Executive Order No. 302, series of 1940, and Administrative Order No. 124-A, series of 1963, Department of Health emergency purchases need not be coursed through the Department before purchases are made. However, respondent required that emergency purchases orders be coursed through him directly without being passed thru the regular processing channel of the Department of Health. Had these requisitions been passed to the processing units, they would have been disapproved, for the items sought to be purchased were those the need for which could be foreseen and the prices were patently excessive. It has also been shown that no valid canvass of prices was made. Respondent approved most of the emergency purchase orders in his house brought to him by preferred dealers such as Mr. and Mrs. Jose Lavarro. Almost all the supposed competing dealers denied during the investigation having given price quotations and many are even non-existent.

In fact, a committee formed by the respondent during the last administration when he was Acting Secretary of Health confirmed the existence of anomalies in the National Orthopedic Hospital and the serious irregularity in the approval of the emergency purchase orders. That committee could have included respondent among the officials in the Department of Health and the National Orthopedic Hospital recommended for criminal and administrative prosecution had it not been for the fact that respondent is a presidential appointee and therefore beyond the jurisdiction of the committee.

In view of the foregoing, I find respondent guilty of willful neglect of duty with grave abuse of authority, dishonesty and conduct prejudicial to the best interest of the service.

Wherefore, Dr. Rodolfo T. Caños, Undersecretary for Special Health Services, is hereby considered resigned from the service, effective as of the date of his preventive suspension.

Done in the City of Manila, this 10th day of August, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 79
SUSPENDING MR. CARLO H. LOZADA FROM OFFICE AS FIRST ASSISTANT PROVINCIAL
FISCAL OF SURIGAO DEL NORTE.

This is an administrative proceeding instituted by Mrs. Maria M. Sorongon and others against First Assistant Provincial Fiscal Carlo H. Lozada of Surigao del Norte for ignorance of the law and oppression arising out of respondent's actuation in filing an information against complainant Sorongon for violation of the Revised Election Code with the municipal court of Mainit, Surigao del Norte.

The record shows that on election day, November 9, 1965, respondent filed with the municipal court of Mainit, Surigao del Norte, an information charging the main complainant, Maria M. Sorongon, with violation of Section 49 of the Revised Election Code for allegedly trying, the day before, to buy the vote of one Leonido Balasabas; that Municipal Judge Desiderio Custodio forthwith issued a warrant of arrest; that on the same day, upon the filing of a bail bond fixed by the court, complainant Sorongon was released from custody.

On December 3, 1965, Provincial Fiscal Bernardo Salas requested the chief of police of Mainit to move for the provisional dismissal of the case against herein complainant for the purpose of re-evaluating the same, and further, that the court records be forwarded to the Office of the Provincial Fiscal. By virtue of a motion to dismiss filed on December 9, 1965, by the chief of police, the municipal judge, on December 14, 1965, dismissed the case without prejudice, notwithstanding complainant's opposition thereto. Up to the present time no information has yet been filed by the provincial fiscal against complainant before the proper court.

Respondent does not dispute the aforestated facts but, by way of defense, claims good faith in filing the election case with the municipal court believing that said court had jurisdiction to conduct the preliminary investigation thereof; and he denies any intention to harass or oppress complainant.

Section 187 of the Revised Election Code, in unmistakable and unequivocal terms, provides that "the court of first instance shall have exclusive criminal jurisdiction to make preliminary investigation, issue the warrant of arrest and try and decide any criminal action or proceeding for violation of this Code." Had respondent merely perused the law before hastily filing the information, he would certainly not have been misled in filing the case before the municipal court. His ignorance of the law therefore becomes apparent, for the aforequoted Section 187 is explicit that in all criminal proceedings for violation of the Revised Election Code, the proper court of first instance shall have exclusive jurisdiction.

Concerning respondent's defense that he had no intention to harass or oppress Mrs. Sorongon, the facts brought out during the investigation show that:

(a) The information was filed on election day, a holiday, and a warrant of arrest was immediately issued and the accused was released only after posting a bail bond.

(b) Complainant declared that respondent “filed the case against me [complainant] because I belong to the Nacionalista Party and he belongs to the Liberal Party. In fact Fiscal Lozada was campaigning for the Liberal Party.”

(c) The allegation regarding party affiliation - - or partisan leaning, to say the least - - is not denied by respondent but impliedly admitted in his memorandum wherein he stated that the complaint against him is “clearly politically motivated”; and respondent then proceeded to show that complainants Maria Sorongon, Ben Mordeno, Antonio Mozar, Cain Bahagan, Alfredo Patiño and Leodegario de la Costa are “all leaders of the Nacionalista Party in the Municipality of Mainit” and that Mordeno was the opponent of his (respondent’s) brother-in-law, incumbent Mayor Jose Mondano, while Antonio Mozar was once the political opponent of his late father for the position of mayor.

From the attendant facts and circumstances I am convinced that respondent’s act was tainted with partisan politics.

Upon the foregoing, respondent is found guilty of improper conduct in disregarding the provisions of Section 187 of the Revised Election Code and of oppression and harassment.

Wherefore, and upon the recommendation of the Undersecretary of Justice, Mr. Carlo H. Lozada is hereby suspended from office as first assistant provincial fiscal of Surigao del Norte, for a period of one (1) year, without pay, effective upon receipt of a copy of this order, with a stern warning that repetition of similar act will be dealt with more severely.

Done in the City of Manila, this 14th day of August, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 80
CONSIDERING HADJI URANG NAGA, PROVINCIAL TREASURER OF LANAO DEL SUR
PROVINCE, RETIRED FROM THE SERVICE.

This is an administrative case against Provincial Treasurer Hadji Urang Naga of Lanao del Sur for (a) gross negligence, (b) incurring unauthorized overdrafts and (c) misuse of trust funds, filed motu proprio by the Department of Finance.

Respondent submitted his answer to the charges and waived a formal investigation. The Undersecretary of Finance, as then Acting Secretary, in his report, found the explanation of respondent contained in his answer unsatisfactory and the charges established and proven. However, considering that respondent, who is the first Muslim to be appointed Provincial Assessor, has more than 42 years of government service, the Acting Secretary recommended that respondent be required to retire from the government service.

After going over the records of the case, I concur in the findings of the Acting Secretary of Finance that respondent is guilty of the following:

A. Gross negligence in failing to collect cash advances and accounts receivable and to remit national collections, and life and retirement insurance premiums.

Respondent avers that as a result of the division of the province of Lanao into two, the accounts of the municipalities had to be liquidated and thereafter closed; and that to be able to pay the obligations of the mother province of Lanao and to remit all national and provincial collections, cash advances had to be given to the municipal treasurers of those municipalities whose finances at the time the division took effect were poor, subject to liquidation thereafter.

This explanation appears to be plausible, but considering the balances of the accounts receivable from the national bureaus and offices of ₱247,003.01, from provinces and chartered cities of ₱435,133.94, and from municipalities of ₱635,956.33, or a total of ₱1,294,957.68, and the balances of its accounts payable to the national bureaus and offices of ₱304,517.41, to provinces and chartered cities of ₱95,362.37, and to municipalities of ₱258,126.01, or a total of ₱1,012,913.98, as of June 30, 1966, respondent appears negligent in not having been able to liquidate said accounts at the close of fiscal year 1965.

The records further show that respondent failed to remit collections for the Government Service Insurance System in the amount of ₱73,094.43, and national collections of ₱244,446.56, in violation of existing regulations.

B. Incurring overdrafts in the general and health funds of ₱1,033,073.39 and ₱29,500.91, respectively, as of June 30, 1965.

Respondent does not deny the charge, but by way of defense, he alleges that the overdrafts were authorized by the Secretary of Finance in accordance with Section 2122 of the Revised Administrative Code. The records of the Department of Finance, however, fail to show that respondent was duly authorized to incur overdrafts in 1965. Considering, however, that typhoons and floods visited the

province in the years previous to 1965, respondent may be considered indeed to have been properly authorized to incur an overdraft, but certainly not to the extent of using trust funds for the purpose.

C. Misuse of trust funds in that as a result of the above overdrafts, respondent illegally used public trust funds of ₱12,196.30 (B-2-2(11) to B-2-2(17), municipal deposits of ₱712,054.43, and court deposits of ₱12,034. Such misuse of trust funds is prohibited under the law.

The charges against respondent are amply supported by the evidence on record. In fact, respondent admits having incurred overdrafts in the general and health funds and the use of trust funds in incurring said overdrafts. Considering, however, that this is his first case in more than 42 years of service in the government where he has spent the best years of his life, his case may be viewed with some measure of leniency.

Wherefore, Hadji Urang Naga is hereby considered retired on August 4, 1967, when he reaches his 63rd birthday.

Done in the City of Manila, this 14th day of August, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 81
REPRIMANDING AND IMPOSING A FINE ON MR. DOMINGO A. CARILLO, REGISTER OF
DEEDS OF LANAOS DEL SUR.

This is an administrative case against Register of Deeds Domingo A. Carillo of Lanaos del Sur, for alleged shortage of six thousand nine hundred fifty-one pesos and eighty centavos (₱6,951.80) in one instance, and one thousand fifty-eight pesos and eighty-three centavos (₱1,058.83) in another instance, found in the collections of the registry.

The case was formally investigated by a committee composed of two attorneys of the Land Registration Commission who found respondent guilty of violating an office regulation in failing to deposit daily the cash collections of the registry with the Provincial Treasurer as required by L.R.C. Memorandum Circular dated December 11, 1956. The Land Registration Commissioner concurred in the recommendation of the committee that respondent be fined in an amount equivalent to three months salary, which recommendation was, likewise, concurred in by the Secretary of Justice.

The records show that on June 9, 1961, Mr. Escolastico Bonete, Acting Assistant Provincial Auditor of Lanaos del Sur conducted an examination on the cash and accounts of respondent. Respondent was found short of ₱6,951.80, as a result of which, he was ordered formally investigated.

Respondent did not dispute the findings of the examining auditor as to the alleged shortage but offered the explanation that said amount of ₱6,951.80 was in his house for safekeeping at the time of examination because the safe of said office had been out of order since 1958; hence cash collections of the registry were either deposited in the office of the Provincial Treasurer or kept in his house for safekeeping.

It was further averred by respondent that he chose to keep the money in his house because of his experience in the past that at times there was no money in the Provincial Treasurer's Office with which to exchange his receipts of deposits at the time of remitting said collections to the National Treasurer.

With respect to the shortage of ₱1,058.83, it was alleged that the respondent was found short thereof upon examination by an examiner of the Auditor's Office on August 23, 1962.

However, the records show that on June 9, 1961, after respondent was declared short of his cash collections in the amount of ₱6,951.80, he designated Mr. Valentin Sabaduquia, a clerk in the Register of Deeds Office as collecting clerk and accountable officer, charged with the duty of issuing receipts, collecting and remitting collections. Mr. Sabaduquia, being the collecting officer of the registry, safeguarded the registry's cash collections by keeping such in his house and/or depositing it with the Provincial Treasurer and later remitting the same to the National Treasury.

On the day that the examination of the cash and accounts of the registry took place, and there was found to be a shortage of ₱1,058.83, Mr. Sabaduquia was on sick leave. However, he had the cash with him when he later reported for duty.

From all the foregoing facts, it is believed that in the first case respondent cannot be guilty of malversation because at the time of the first examination he had the money in his custody. It is true that the last paragraph of Art. 217 of the Revised Penal Code, which provides:

“The failure of a public officer to have duly forthcoming any public funds or property with which he is chargeable upon demand by any duly authorized officer, shall be prima facie evidence that he has put such missing funds or property to personal uses.”

raises a prima facie case against him. But this may be rebutted or overcome by proof to the contrary as when the accused has adduced evidence showing that he has not put said funds or property to personal use, in which case the presumption is at an end and the prima facie case is destroyed (U.S. vs. Catolico, 18 Phil. 504; U.S. vs. Francisco, 35 Phil. 248; People vs. Reyes, 49 O.G. 4384). In the present case, respondent had satisfactorily explained the absence of the said funds in the registry at the time of examination, in which case cannot be guilty thereof.

However, respondent although presumably acting in good faith cannot be completely without fault in keeping such cash collection in his house, he having violated an office regulation. Respondent’s excuse may be plausible but it does not appear from the records that he did something to remedy the situation so as to comply with said circular. I therefore find respondent’s act a flagrant violation of a valid and existing office regulation.

On the second charge, although respondent did not commit any act of dishonesty, it appearing that the order he issued was valid and binding, I find him negligent in not properly supervising the actuations of his subordinate with regard to the daily deposit of cash collections and their remittance to the National Treasurer, especially so, when these same acts were the basis of the preceding case against him.

Wherefore, and as recommended by the Land Registration Commissioner and the Secretary of Justice, Mr. Domingo A. Carillo is hereby fined his three (3) months pay and further reprimanded and warned that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 16th day of August, in the year of our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 82
REMOVING MR. DANIEL O. OSUMO FROM OFFICE AS MUNICIPAL JUDGE OF KIBAWÉ,
BUKIDNON

This is an administrative proceeding against Mr. Daniel O. Osumo, Municipal Judge of Kibawe, Bukidnon, based on a report of the Provincial Fiscal of Bukidnon regarding Mr. Osumo's continued absence from office since August, 1966.

Conducting an investigation as directed by the Department of Justice, District Judge Abundio Z. Arrieta found that the last authorized leave of Mr. Osumo was from August 8 to 28, 1966, as shown by the records of the Court of First Instance; that, from September 1, 1966 his place had been taken by a substitute; that according to his clerk and as corroborated by the Municipal Treasurer, he had not reported for duty for several months; and that, according to his clerk, he had left no address at which he could be contacted, as a result of which his whereabouts are unknown. In view thereof, the investigating Judge recommends that Mr. Osumo "be immediately separated from the service for conduct showing not only lack of respect for his superiors but also willful neglect and abandonment of the duties of his august position."

The investigation thus shows that Mr. Osumo has abandoned his office, having absented himself for a considerable length of time without leave or notice to justify such absence. Not only does his conduct betray his utter disregard of the responsibilities of a public office indicating thereby his unfitness for his judicial position, but the best interest of the administration of justice also requires that he be speedily replaced by one capable of attending adequately to the duties of such office.

Wherefore and as recommended by the Acting Secretary of Justice, Mr. Daniel O. Osumo is hereby removed from office as municipal judge of Kibawe, Bukidnon, effective upon receipt of a copy of this order.

Done in the City of Manila, this 24th day of August, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 83
AMENDING ADMINISTRATIVE ORDER NO. 64 DATED JUNE 22, 1967 ENTITLED
“CREATING A COMMITTEE TO EFFECT THE TRANSFER OF IWAHIG PENAL COLONY.”

The composition of the Committee created under Administrative Order No. 64 dated June 22, 1967, is hereby amended as follows:

The Undersecretary of Justice- - - - -	Chairman
The Governor, Land Authority - - - - -	Member
The Undersecretary of Agriculture and Natural Resources - - - - -	Member
The Director of Prisons - - - - -	Member
Congressman Ramon V. Mitra - - - - -	Member
Ex-Congressman Gaudencio Abordo- - - - -	Member

Done in the City of Manila, this 31st day of **August**, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 84
DESIGNATING GENERAL EULOGIO BALAO AS ALTERNATE MEMBER OF THE
PHILIPPINE PANEL OF THE PHILIPPINE-JAPAN JOINT COMMISSION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby designate General Eulogio Balao as alternate member of the Philippine Panel of the Philippine-Japan Joint Commission created under Administrative Order No. 24, dated November 2, 1966, which is hereby amended accordingly.

Done in the City of Manila, this 8th day of September, in the year of Our Lord nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 85
SUSPENDING MR. JAVIER ARIOS A FROM OFFICE AS PROVINCIAL GOVERNOR OF
ZAMBOANGA DEL SUR

This refers to four (4) administrative cases filed against Provincial Governor Javier Ariosa of Zamboanga del Sur, to wit: Administrative Case No. I, for oppression and serious misconduct in office filed by Mayor Maulod Pausa of Siay, Zamboanga del Sur; Administrative Case No. II, for oppression and grave misconduct in office filed by the same mayor; Administrative Case No. III, for oppression and serious misconduct in office filed by Councilor Edmundo Dalid of Dumalinao, Zamboanga del Sur; and Administrative Case No. IV, for dishonesty and serious misconduct in office filed by Jose Almazan Jr. of Dumingag, Zamboanga del Sur. These cases were jointly investigated by Assistant Solicitor General Antonio A. Torres who found respondent guilty only in one (Adm. Case No. III), for oppression and serious misconduct in office, and, believing the preventive suspension undergone by respondent as sufficient punishment, recommended his reinstatement in office.

Administrative Case No. I – for Oppression and Serious Misconduct in Office

A review of the record shows that the evidence is wanting to sustain the allegation that respondent governor appropriated for his own personal benefit the twelve (12) hectares of reforestation project in Siay, Zamboanga del Sur, which the Emergency Employment Administration turned over to the province sometime in October 1964. However, it was established that the governor tolerated and abetted the indiscriminate utilization of convicted and detention prisoners in the various projects of the province in contravention of Section 1727 of the Revised Administrative Code, which constitutes serious misconduct in office.

Administrative Case No. II, for Oppression and Grave Misconduct in Office

The record discloses:

1. That the governor caused the release into his custody of a detention prisoner to work in his privately owned fishpond located at Muricay, Zamboanga del Sur;
2. That in some projects of the province, detention prisoners were made to work side by side with convicted criminals;
3. That respondent knew and tolerated the massive terroristic activities of convicted and detention prisoners on November 8 and 9, 1965 (eve and date of the general elections), wherein they, in groups, roamed the streets in several barrios and towns of that province and sowed terror upon the voters and sympathizers of the opposite political party; and
4. That the Comelec failed to effect immediate control of the provincial jail and guards until November 9, 1965, and this was due to the indifferent attitude of the provincial guards who, for

dilatory purposes, demanded from the Comelec deputies for the governor's clearance. Besides, only a handful of prisoners were left in the jail after the majority were already out purportedly working in projects outside the provincial jail premises, but who actually were then terrorizing the residents.

When respondent caused the release of the detention prisoners to work in his fishpond, he violated thereby Section 1727 of the Revised Administrative Code. For reasons only known to him, he observed and tolerated this practice in utter disregard of prison law and rules.

Notwithstanding the fact that the terroristic activities of the prisoner were of such magnitude and territorial coverage, respondent failed and did not even lift a finger to suppress them. On the contrary, when he was confronted, respondent merely said to let alone the prisoners, and if they (his opponents) were looking for trouble, he too would look for trouble.

Under Section 1731 of the Revised Administrative Code, respondent is charged with the keeping of the provincial jail as well as its administration. Although it was not shown that he had a direct hand in the release of prisoners, yet that does not make him any less culpable because as keeper and administrator, he is ultimately responsible for the proper management of the jail. At the very least, his apparent laxity and inaction reveal his ignorance of one of the executive responsibilities of his office. What is appalling is the misguidance of the unfortunate prisoners which rendered illusory the aim of the government to restore them to society as upright citizens. Ironically, they became tools of respondent in spreading terror among the peaceful inhabitants of the province.

Administrative Case No. III, for Oppression and Serious Misconduct in Office

It appears that on November 3, 1965, four (4) RCA personnel who refused to release some 1,000 bags of rice demanded by respondent were incarcerated. Escorted by provincial guards, they were marched off to the provincial jail from the respondent's house, like criminals, to their utter embarrassment and humiliation. They were kept in confinement and were released only when they finally succumbed to respondent's whim and caprice. Consequently, they virtually threw open the RCA bodega to the respondent who was able to effect withdrawal not only of 1,000 bags as demanded, but a total of 6,277 bags during the period from November 3 to 7, 1965.

From the above it is manifest that respondent is guilty as charged. The mere fact that three of the RCA personnel involved later executed an affidavit placing respondent in the clear does not offset the established facts, it being highly probable that they were subsequently approached by respondent and, with promises, prevailed upon to make the affidavit in question.

Administrative Case No. IV, for Dishonesty and Serious Misconduct in Office

It also appears that respondent, through deceit and highhanded means, caused the withdrawal from the RCA bodega of 6,277 bags of rice, worth ₱192,187, backed up by worthless promissory notes of his, the same not having been authorized by the provincial board. He caused the distribution of this rice as a political gimmick in several towns of the province for no consideration other than the promise to vote for the Liberal Party ticket in the election of November 9, 1965. The promissory notes, supposed to be payable on or before December 31, 1965, have not as yet been redeemed and the distributees never bothered to pay for what they got.

It is beyond cavil of doubt that respondent caused a heavy financial loss to the government. That the procedure he took in effecting the withdrawal of the rice from the RCA bodega constitutes serious misconduct in office cannot be gainsaid.

From the above findings, the inevitable conclusion is that respondent is guilty of the charges levelled against him. The gravity of the offenses committed by him indicates his propensity to be oppressive, tyrannical and abusive in his official actuations. Respondent carried his partisan feelings too far to the extent of violating laws and regulations and thwarting the free exercise by the people of the sacred right of suffrage. Although the seriousness of the acts committed would warrant his outright removal were he an appointive official, in deference to the popular will, suspension for two years from the date of his preventive suspension is deemed sufficient. However, in view of the proximity of the end of his term of office, he is hereby suspended up to the expiration of that term.

Done in the City of Manila, this 10th day of September, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 86
CREATING A COMMITTEE TO EVOLVE AN EFFECTIVE PROGRAM FOR THE SETTLEMENT
OF OBLIGATIONS OF GOVERNMENT OFFICES TO THE NATIONAL WATERWORKS AND
SEWERAGE AUTHORITY.

WHEREAS, unpaid obligations of government offices, both national and local, to the National Waterworks and Sewerage Authority (NWSA) has reached such an extent that their non-payment might cripple NWSA's ability to comply with its international loan commitments; and

WHEREAS, an effective program of payment of these obligations has to be evolved to ensure their early settlement without disrupting the essential services of government concessionaires;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to draft and carry out a program for the settlement of obligations to the NWSA of national and local offices, including government owned or controlled corporations, composed of the following:

The Commissioner of the Budget	Chairman
The Secretary of Finance	Member
The Director-General, Presidential Economic Staff	Member
The General Manager, NWSA	Member
The Administrator, Office of Economic Coordination	Member

The Committee shall submit its report and recommendation to the President once every six months.

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 87

AUTHORIZING THE CENTRAL BANK OF THE PHILIPPINES TO ACT AS DEPOSITORY TO RECEIVE AND HOLD NOTES FOR THE ACCOUNT OF AND SUBJECT TO THE ORDER OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (IBRD).

WHEREAS, pursuant to the provisions of Republic Act No. 2052, the Republic of the Philippines has increased its subscription to the International Bank for Reconstruction and Development (IBRD); and

WHEREAS, the IBRD requires evidence of the Central Bank's authority from the Philippine Government to act as depository for said Bank on the increased subscription;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Central Bank of the Philippines to act as depository to receive and hold notes for the account of and subject to the order of the International Bank for Reconstruction and Development (IBRD).

Done in the City of Manila, this 4th day of October, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 88
REMOVING MR. SALVADOR C. MACAINAN FROM OFFICE AS FIFTH ASSISTANT CITY
FISCAL, BACOLOD CITY.

This is an administrative case against Mr. Salvador C. Macainan, 5th Assistant City Fiscal of Bacolod City, initiated by the Undersecretary of Justice in a letter dated July 11, 1967, charging the said Macainan with Gross Misconduct in and/or Abandonment of Office.

Service of the copies of the charges and the notice of hearing of this administrative case was effected by Patrolman Ernesto Blanco of the Bacolod City Police Department by personally repairing to the publicly known residence of Mr. Macainan in that City on July 25, 1967 and delivering copies thereof, in the absence of Macainan, to his wife Mrs. Line Macainan; who received said copies but refused, however, to sign the proof of service.

The notice of hearing required the respondent Macainan to file his answer to the charges within five (5) days from the service and set the hearing at 9:00 o'clock A.M. of the third day following the expiration of the five days' period for the filing of the answer.

It appears that Macainan on October 11, 1966 left with a clerk in his office an application for an indefinite leave of absence to take effect on the very same day. The leave application did not state the period of its duration and the exact address where the applicant intended to spend his leave. On October 13, 1966 State Prosecutor Dominador de Guzman together with the City Fiscal filed an amended information for Murder in the Court of First Instance of Negros Occidental against several accused including Macainan. And on the very same day a warrant of his arrest was issued. The warrant was immediately delivered to Lt. Aguirre of the Philippine Constabulary Command of Bacolod City who forthwith took steps to execute the warrant. He did not effect the arrest of Macainan because he could not be found in Bacolod City, and he was informed that Macainan had left for Manila two (2) days before the issuance of the warrant or on October 11, 1966.

On October 14, 1966, the leave application left by Macainan with his clerk was submitted to the City Fiscal for appropriate action, and the City Fiscal signed thereon indicating his conformity with the leave. However, according to the standard operating procedure in the Office of the City Fiscal, after said official has signed the application as an indication of his conformity, the same is returned to the applicant for the preparation of the corresponding indorsement to the Secretary of Justice recommending approval. This indorsement was never accomplished and the application was never forwarded to the Department of Justice until June 12, 1967 when the City Fiscal was reminded by the Mayor of the official status of Mr. Macainan, who since October 11, 1966 up to June 12, 1967 had never reported for duty in his office. Forthwith, the City Fiscal transmitted the application for leave in question and attached thereto a report regarding the absence of Mr. Macainan.

Court Record of the Court of First Instance of Negros Occidental shows that the warrant for the arrest of Mr. Macainan was never effected and returned to the Court. On July 20, 1967 the Court rendered a decision in Criminal Case No. 8918 wherein Macainan was one of the accused. In that decision, Erasmo Cuadra, one of the co-accused of Macainan, was convicted of Murder and sentenced

to suffer to extreme penalty of death. In the same decision, the Court made a finding that “the accused, Salvador Macainan, fled from Bacolod City, to evade arrest, before his name was included in the information and remains at large x x x”.

It is evident that the filing of the leave application of Mr. Macainan on the very day of its intended effectivity without explanation of its urgency violates Section 16 of Rule XVI of the Civil Service Rules, which directs that application for leave should be filed five days in advance. Then his application has not been filed in accordance with the standard operating procedure in the office of the City Fiscal of the City of Bacolod. In consequence, it did not carry the required stamp of approval of officials concerned in the Department of Justice, pursuant to Administrative Order No. 235 of the Secretary of Justice, series of 1962. Moreover, the record shows that as of June 30, 1966, Mr. Macainan had earned a total of only approximately fifteen days of vacation and sick leaves. Considering that he intended his application to be for an indefinite period, as in fact, he has not reported for duty for a period of more than sixty days since October 11, 1966, and up to now, the period of leave in excess of the fifteen days he has already earned should be understood to be leave without pay. And pursuant to Section 30 of Rule XVI of the Civil Service Rules and Executive Order No. 324, series of 1941, as amended by Executive Order No. 91, series of 1955, leaves without pay in excess of sixty days shall require the approval of the Secretary of Justice. This has not been done in the application for leave of Mr. Macainan. Moreover, Section 20 of Rule XVI of the Civil Service Rules also provides that leave of absence for any reason other than serious illness of an officer or employee or any member of his family must be contingent upon the needs of the service. In other words, it is a clear mandate of the Rule that an application for leave for any reason other than serious illness, being contingent upon the needs of the service, the previous approval thereof must first be secured before said leave could be enjoyed by the applicant.

Again, Mr. Macainan did not state in his application the definite period of the duration of his leave. As it is, even if it was duly submitted for appropriate action by the Secretary of Justice, it indeed could have deprived the latter of the means to act on it on the basis of its duration and its effect on the exigencies of public interest and the needs of the service. Likewise, the exact address where Mr. Macainan intended to spend his leave is not stated in the application. This could also have deprived the City Fiscal of the City of Bacolod and the Department of Justice of the means to make contact with him if and when the needs of the service required his recall from his leave.

In view of these vital defects in the application for leave of Mr. Macainan, the same could not be said to have been validly filed. His leaving his office and his not reporting for duty as assistant fiscal since October 11, 1966, up to the date of this investigation were, therefore, unauthorized and constitute gross disregard of the rules and regulations pertaining to his official actuations, conduct and department as public officer while in office. In the process, he can be said to have deliberately scorned the authority of the Secretary of Justice to approve or not to approve his leave before he could enjoy it.

What could have motivated Mr. Macainan to leave hurriedly on October 11, 1966, after leaving behind his application for leave? According to the finding of the Court in Criminal Case No. 8918, he “fled from Bacolod City, to evade arrest, before his name was included in the information and remains at large x x x”. Mr. Macainan could have known that he was to be included in the information because according to the City Fiscal, before October 11, 1966, after the preliminary investigation in Macainan’s case was terminated and the defense had filed their memorandum, he was discussing in his office with State Prosecutor Dominador de Guzman the possibility of recommending bail for Mr. Macainan, indicating their decision to already prosecute him. In fact the amended information was prepared in his office. At that time Mr. Macainan was still reporting for duty. While “to attend to my private interest”

could be a legitimate reason for an application for leave, his leaving was found by the Court to be “to evade arrest”. This could also be his motive in applying for leave.

The flight of Mr. Macainan to evade arrest, and in process, his abandonment of his office further indicates that he lacks the courage and is devoid of any consciousness of his moral and civil responsibility and duty, even only as a mere law-abiding citizen to head and face the mandate and processes of the law in order to avail himself of his right to prove his innocence of the crime for which he is charged. If he is lacking of the ordinary qualities and proper deportment of an ordinary citizen in relation to the processes of the law, with more reason, he is patently lacking of the necessary qualities and qualifications of a public officer to discharge the responsibilities and duties of a public office, the primary function of which is the investigation of crimes and the prosecution of criminals. Thus Mr. Macainan has proved himself to be lacking of the necessary qualities and qualifications of a public officer and public prosecutor and is therefore unfit for the position of Assistant City Fiscal.

WHEREFORE, Mr. Salvador C. Macainan is hereby removed from office as Fifth Assistant City Fiscal of the City of Bacolod, effective immediately.

Done in the City of Manila, this 13th day of October, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 89
ADMONISHING MUNICIPAL JUDGE ULPIANO P. RAMAS AS NEW PIÑAN, ZAMBOANGA
DEL NORTE.

Mr. Ulpiano P. Ramas, municipal judge of New Piñan, Zamboanga del Norte, is charged in three separate complaints with (1) bribery, maladministration of justice, abuse of authority, immorality, electioneering and suspicious strategy; (2) receiving his full salary for days when he was absent or incurred undertime; and (3) being responsible for the manhandling by irresponsible elements of complainant Pedong Sinulatan Luminding (a Subano), who was suspected of stealing respondent's camera, and fooling said complainant by obtaining from him, as compensation for a supposed license to solemnize Subano marriages issued by the respondent in his favor, the sum of ₱20 in addition to five valuable ancient China earthen jars which he had already given the respondent.

The charges were originally investigated by the Provincial Fiscal of Zamboanga del Norte at the request of the District Judge. On the basis of the record of investigation and the investigator's report, the Department of Justice found the first complaint, which was anonymous, without merit, but found respondent guilty under the second and third complaints of the following specific acts:

- (1) Appearing in court as private counsel without special permission from the District Judge;
- (2) Collecting his full salary for days when he was either absent or incurred undertime during his regular office hours in the morning; and
- (3) Inducing an ignorant non-Christian to give him his precious possessions in consideration of a worthless certificate issued by him.

Respondent disregard with the above inculpatory findings of the Department of Justice and asked for a reinvestigation of the case to establish his innocence, which was granted by this Office.

I concur in the Department's findings in the original investigation absolving respondent from the other charges. What remain to be disposed of, therefore, are the three specific counts where he was previously found guilty by the Department which later recommended the dismissal of two of them (counts 1 and 3) for insufficiency of evidence.

1. In the reinvestigation conducted by the District Judge of Zamboanga del Norte, upon authority of this Office, the respondent submitted a certificate issued by the then Presiding Judge (Patricio C. Ceniza) of the Court of First Instance of Zamboanga del Norte when Civil Case No. 353 thereof was filed on April 5, 1951, wherein respondent appeared as private counsel. In said certificate (Exh. "1"—Reinvestigation) Judge Ceniza certified that as District Judge of Zamboanga del Norte he gave permission to respondent judge to appear as counsel in the civil case referred to. Considering this new evidence which is uncontradicted, respondent should also be absolved from the count that he appeared as private counsel without permission from the District Judge.

2. The second count refers to respondent's collecting his full salary for August 13, November 19 and 24, 1954, and for March 11 and 19, 1955, although he was absent or incurred undertime. While

admitting that he was absent from office in the morning of August 13, November 19 and 24, 1954, and incurred undertime on March 11 and 19, 1955, the respondent proved in the reinvestigation that he compensated these absences and undertimes by holding office in the afternoon of said dates. The explanation is not completely satisfactory. Once a municipal judge has fixed his regular schedule of office hours from 8:00 to 12:00 o'clock in the morning, as respondent had done, he cannot legally hold office at any other time to the prejudice of the public service. Neither can he deviate therefrom unless previously authorized and notice given to the public in advance. He should thus be considered absent on August 13, November 19 and 24, 1954, and as having incurred undertime of 2 hours on March 11, 1955, and 1 1/2 hours on March 19, 1955.

3. During the reinvestigation complainant, Pedong Sinulatan Luminding filed, through counsel, a motion dated December 14, 1959, withdrawing his complaint against the respondent. Attached to the motion as an integral part thereof is an affidavit of the complainant himself dated February 21, 1959, wherein he stated, among other things, that he was forced and threatened to file the case against the respondent by former Mayor Candido Dagpin of New Piñan; and that the charges were false and fabricated and merely told to him. Failing to appear in court on the first day of the reinvestigation, complainant Luminding was summoned by the District Judge to appear on March 4, 1960, and he did. However, he simply ratified and confirmed the contents of his affidavit and reiterated his desire to withdraw his charges for the reason that the respondent had done him no wrong. With complainant's admission of the falsity of his charges and his unwillingness to testify in the reinvestigation, the dismissal thereof for lack of merit is likewise in order.

In view of the foregoing, Municipal Judge Ulpiano P. Ramas is hereby admonished to follow strictly his fixed schedule of office hours, which is the bases for the collection of the salary due him, and warned that a repetition of similar acts will be dealt with more severely. He is also required to refund the salary he received for August 13, November 19 and 24, 1954, and the amount corresponding to his total undertime of 3 1/2 hours on March 11 and 19, 1955.

Done in the City of Manila, this 23rd day of October, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 90

**CREATING A SPECIAL COMMITTEE ON STATISTICS ON FILIPINO CHILD-YOUTH
DEVELOPMENT AND DESIGNATING THE BUREAU DIRECTORS' ASSOCIATION, INC., AS
THE ADMINISTERING ORGANIZATION.**

WHEREAS, there is need of well-organized and reliable statistical data on the study and development of Filipino children and youth as scientific bases in the planning of work on the various phases of their development; and

WHEREAS, there is equal necessity for a central unit or body to serve as an advisory group on a national level to carry out a purposeful, precise and effective collation of statistical data for planning programs on child-youth development and welfare;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Special Committee on Statistics on Filipino Child-Youth Development, composed of the following:

The Director, National Coordinating Center for the Study and Development of Filipino Children and Youth	Chairman
The Director, Bureau of the Census and Statistics.....	Vice-Chairman
The Administrator, Social Welfare Administration.....	Member
The Commissioner, Commission on National Integration	Member
The Director, Bureau of Women and Minors.....	Member
The Director, Bureau of Public Schools.....	Member
The Director, Bureau of Private Schools	Member
The Director, Bureau of Vocational Education.....	Member
The Chief, Office of Manpower Services	Member
The Director, Asian Labor Education Center, U.P.	Member
The Chief, Disease Intelligence Center Department of Health.....	Member
The Director, Bureau of Dental Health Services.....	Member

The Committee, whose Secretariat shall be the National Coordinating Center for the Study and Development of Filipino Children and Youth (NCCSDFCY), shall submit to the President of the Philippines from time to time its reports and recommendations.

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the discharge of its functions.

Done in the City of Manila, this 24th day of October, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 91
DEFINING THE COMPOSITION AND FUNCTIONS OF THE COMMITTEE FOR THE
IMPLEMENTATION OF THE PHILIPPINE-MALAYSIA ANTI-SMUGGLING AGREEMENT.

WHEREAS, the Anti-Smuggling Agreement between the Governments of the Republic of the Philippines and the Federation of Malaysia was concluded and signed at Kuala Lumpur on September 1, 1967;

WHEREAS, the Agreement shall enter into force three months from the date of signing and will remain in force until the expiration of six months from date on which either government receives from the other a written notice of its intention to terminate the same, as stipulated in Paragraph 11 of the Agreement; and

WHEREAS, to assure the early and effective implementation of the Agreement it is necessary that there be a well-coordinated action among the agencies of the Government concerned with the implementation thereof;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby designate the members of the Committee for the implementation of the Agreement on Anti-Smuggling Cooperation, with the Undersecretary of Foreign Affairs Manuel Collantes as Chairman, as follows:

<u>Agency</u>	<u>Member</u>
1. Bureau of Customs	Asst. Commissioner Cayetano Llamado
2. Bureau of Immigration	Commissioner Edmundo Reyes
3. Anti-Smuggling Action Center	Chairman Pelagio Cruz
4. Philippine Navy	Commodore Pastor Viado
5. Department of Foreign Affairs	Consul General Rafael A. Gonzales

The Department of Foreign Affairs shall be responsible for:

- (1) The release of funds allocated for the purpose of implementing the Agreement;
- (2) The procurement of equipment and supplies;
- (3) The establishment of offices in Sandakan, Jesselton and Semporna in Sabah and in-country stations;
- (4) The assignment of personnel in coordination with other agencies of the Government to man the offices in Sabah and in-country stations; and
- (5) The in-country information campaign; preparation of documents, forms for clearances, bonds, etc. in coordination with other agencies concerned.

The Bureau of Customs in coordination with the Philippine Navy shall have supervision and control of all personnel in the sub-ports of Batu-Batu, Taganak and Balabac.

The offices in Sabah shall be under the supervision of the Department of Foreign Affairs in coordination with the Bureau of Customs.

The Committee shall submit from time to time to the President of the Philippines its reports and recommendations.

The Committee is authorized to issue such rules and regulations and operating procedures as it may deem necessary to provide for an effective implementation of the Agreement. It is also authorized to call upon any department, bureau, office, agency, instrumentality and subdivision of the Government for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 24th day of October, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 92
CREATING THE TONDO FORESHORE DEVELOPMENT COMMITTEE.

WHEREAS, Republic Act No. 1597, otherwise known as the “Tondo Foreshore Land Act of 1956”, as amended by Republic Act No. 2439, provides for the survey and subdivision of the Tondo Foreshore into lots for disposition to qualified applicants except that portion one hundred meters from the pier line to the East and those areas which may be reserved by the government for port facilities, roads and other public uses, which provisions have not been implemented up to the present;

WHEREAS, there is a need to unclog the piers of warehouses and other port facilities and to provide the North Harbor with wider spaces for loading and unloading cargoes;

WHEREAS, the North Harbor requires an effective road system to facilitate the movement of vehicles in said port area;

WHEREAS, more lands should be reclaimed from the sea to help bring about a more viable North Harbor port system; and

WHEREAS, integration and coordination, of all the above-mentioned activities can best be achieved by centralizing responsibility and authority therefor at the highest level possible;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Tondo Foreshore Development Committee composed of the following:

The Executive Secretary	Chairman
The Deputy Governor for Operations, Land Authority	Co-Chairman
The Director-General, Presidential Economic Staff	Co-Chairman
The Director of Lands	Member
The Commissioner of Customs	Member
The Director of Public Works	Member
The Director of Public Highways	Member

The Committee shall be assisted by a technical staff to be composed of such personnel as may be assigned or detailed to it from the different offices involved.

The Committee shall have the following duties and functions:

- a. Study ways and means of implementing the provisions of Republic Act No. 1597, as amended;
- b. Develop an integrated long-term plan for the overall social and economic development of the Tondo Foreshore and its residents;
- c. Determine priorities in awarding residential lots to bona fide occupants of lots in the Tondo Foreshore;

- d. Study and recommend improvements on the North Harbor facilities bordering the Tondo Foreshore;
- e. Submit an annual report of its activities to the President including proposed policies and matters for legislation;
- f. Promulgate such rules and procedures as may be necessary to execute the purposes of this Order; and
- g. Advise the President on all matters regarding (1) the disposition and sale of the Tondo Foreshore to the tenants thereof; (2) improvements and facilities to be introduced within the Tondo Foreshore for the benefit of the inhabitants thereof, and (3) facilities for improving the North Harbor, including the planning out and construction of an effective road system to serve the North Harbor area.

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its functions.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 93
REMOVING MR. JACINTO R. ACALING FROM OFFICE AS REGISTER OF DEEDS OF AKLAN.

This is an administrative case against Mr. Jacinto R. Acaling, Register of Deeds of Aklan, for incurring a shortage in the collections of his registry and for violation of civil service rules by absenting himself without proper authority.

The records show that the accounts of respondent were audited on May 24, 1966, by the Acting Provincial Auditor. The audit was conducted in the absence of respondent who deliberately absented himself despite notices sent to him, his wife and his immediate relatives that said audit would be undertaken. As a consequence of respondent's absence, his safe was forcibly opened by the auditor in the presence of responsible provincial officials. The safe was found empty of cash, checks, treasury warrants or money orders. After this discovery, the auditor asked respondent to submit himself to a cash audit but this request was again ignored. It was thereupon determined that respondent had a cash shortage in his collections amounting to ₱34,993.13, to wit:

Balance, as February 11, 1964	₱400.40
Collections from February 11, 1964 to April 11, 1966.....	<u>41,607.22</u>
Total	₱42,007.62
Less:	
Deposits and remittances since and up to April 11, 1966.....	₱7,014.49
Cash, checks, treasury warrants and other cash items	<u>-0-</u>
Total	<u>7,014.49</u>
SHORTAGE	₱34,993.13

After said audit, the auditor demanded the return or restitution of the shortage, but respondent once again chose not to answer.

It also appears from the records that as early as April 1, 1966, or before the cash audit was conducted, respondent had already absented himself from office without filing an application for leave of absence. Although he later filed an application for sick and vacation leave from April 1 to September 30, 1966, he again failed to report, without proper authority from October 1, 1966, up to July 25, 1967.

On August 11, 1966, respondent was directed by the Land Registration Commissioner to show cause within 72 hours why he should not be administratively charged for shortage in his collections and for willfully absenting himself from office from April 1, 1966, up to August 11, 1966, without proper approval. Respondent, however, ignored said notices and two other subsequent notices in an evident attempt to frustrate the proceedings.

In view of the foregoing, I hereby find respondent guilty of the two aforementioned charges.

Wherefore, and upon the recommendation of the Secretary of Justice and the Land Registration Commissioner, Mr. Jacinto R. Acaling is hereby removed from office as Register of Deeds of Aklan, effective upon receipt of a copy of this order.

Done in the City of Manila this 20th day of November, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 94
CREATING A COMMITTEE TO UPDATE THE PHILIPPINE PATENT SYSTEM.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to update the Philippine patent system composed of the following:

The Secretary of Commerce and Industry - - - - -	Chairman
The Chairman, National Science Dev. Board - - - - -	Member
The Chairman, Philippines Patent Office - - - - -	"
The Chairman, Philippine Inventors Comm.- - - - -	"
The Director-General, Presidential Economic Staff - - - - -	"
The Director, Office of the National Planning, National Economic Council - - - - -	"

The Legal and Policy Research Office, Presidential Economic Staff, shall act as Secretariat.

The Committee shall have the following powers and functions

1. Review the Philippine patent system and submit a comprehensive amendatory bill to upgrade our laws along international trends for protection of industrial property;
2. Study and recommend means of coordinating the activities of the Philippines Patent Office and the Philippine Inventors Commission in order to reduce the backlog in processing patent applications; and
3. Study and recommend means by which venture capital may be made available to inventors to finance the manufacture of inventions.

The Committee is empowered to call upon any government office, agency or instrumentality for such assistance as it may need for the accomplishment of its task.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 95
AMENDING ADMINISTRATIVE ORDER NO. 93 DATED MAY 5, 1964, AS AMENDED BY
ADMINISTRATIVE ORDER NO. 16 DATED AUGUST 8, 1966.

The composition of the Presidential School Building Committee created under Administrative Order No. 93 dated May 5, 1964, as amended by Administrative Order No. 16 dated August 8, 1966, is hereby further amended as follows:

The Undersecretary of Defense	Chairman
The Undersecretary of Education	Member
The Undersecretary of Public Works	Member
The Undersecretary of Natural Resources	Member
The Deputy Commissioner of the Budget	Member
Assistant Secretary on Community Development	Member

Done in the City of Manila, this 22nd day of November, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 96
CREATING A COMMITTEE TO STUDY ELECTION LAWS AND REGISTRATION
PROCEDURES

In order to prevent the repetition of the confusion in the registration of voters and voting attending the just completed 1967 elections, which has resulted in the disenfranchisement of a sizable percentage of the electorate, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and the constitution, do hereby create a Committee to make a thorough study of existing laws, rules and regulations relative to elections and registrations and voting procedures with a view to finding and pinpointing the defects therein and recommending remedial measures thereto. The Committee shall be composed of the following:

Justice Ricardo Paras	Chairman
Justice Roberto Regala	Member
Prof. Gaudencio Garcia	Member
Com. Jose Carag	Member
Com. Sixto Brillantes	Member
Com. Genaro Visarra	Member
Com. Gregorio Santayana	Member

The Committee shall also study and recommend whether the present registry of voters could be used in the 1969 elections without the attendant confusion.

The Committee may request the assistance of any Department, Bureau, office or agency of the government in the discharge of its functions.

Done in the City of Manila, this 23rd day of November, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 97
REMOVING MR. GODOFREDO TRINCHERA FROM OFFICE AS CITY ENGINEER OF
ORMOC.

This is an administrative case against Ormoc City Engineer Godofredo Trinchera for malversation of public funds; dishonesty and falsification of public documents; illegal use of government property; violation of the civil service law, rules and regulations; and violation of the Anti-Graft and Corrupt Practices Act. Respondent was investigated in compliance with Department Order No. 107 dated February 3, 1967, of the Secretary of Public Works and Communications.

From a careful review of the records, the following appears duly established:

Malversation of public funds

Santiago Magallanes, Jorge Yunting and Severino Cayson in their complaint alleged that they were assigned by respondent to work on the road to and on the latter's private sugarcane field situated in Sitio Hagnaya-on, Bo. Naghalin, Kananga, Leyte, and that he thereafter made it appear in the government payrolls that they worked in government projects specified therein, thereby paying their salaries and wages out of government funds.

Severino Cayson specifically claimed that from July 16 to August 31, 1964, he was made to work as a helper in the operation of a Bureau of Public Highways tractor which plowed the land of respondent. He also stated that he likewise worked on a culvert within the land of respondent, for which services he was paid from government funds.

Respondent denies the charge of complainant Cayson by showing true copies of the index payment of payrolls wherein the latter appears not to have been paid for the period stated therein. However, as observed by the investigators, the exhibits presented by respondent were only true copies and not true copies duly certified by the proper custodian of said documents, hence entitled to little or no weight. Moreover, although the entries may represent payments made to employees for the periods stated therein, it does not necessarily mean that what does appear from said documents has not indeed been paid. Actual payments through payrolls may have been made although the same were not entered in said index cards.

The second complainant, Jorge Yunting, corroborated the testimony of Severino Cayson and further testified that from May 29 to August 1964, upon the assurance of respondent that his service record would not be affected because the payment of his services would be charged against government funds, he plowed the latter's sugarcane plantation. This particular witness even remembered identifying numbers of certain accompanying supporting papers or payrolls which he signed covering the period during which he worked on respondent's plantation. Respondent tried to avoid responsibility by manifesting that Yunting at that time was on rotation and that he was paid out of his (respondent's) personal funds. This defense is entitled to scant consideration, for as earlier observed the identifying

numbers which Yunting recalled indeed exist in the payrolls covering the period during which he worked in respondent's plantation.

To the same effect is the testimony of complainant Santiago Magallanes who claims that while his official assignment for the period of February to April 1964 was at the Libungan Detour Project, he was made to work in the road leading to the hacienda of respondent for six days during the last half of April 1964. Again respondent denied the allegation of this complainant on the theory that the latter was officially assigned to some government project and he could therefore not be anywhere else than at his official station. This argument suffers from a fatal fallacy, for it does not inevitably follow that when a laborer is officially assigned to a certain place he cannot physically be in another place. Precisely, all the above-named complainants admitted being officially assigned to certain projects but were detached from their assignments and made to perform private undertakings in favor of respondent. The finding of the investigators that respondent is guilty of this charge on three counts is therefore sustained.

Illegal use of government property

This charge is related to the first one in that in undertaking work in his hacienda at Sitio Hagnaya-on, Bo. Naghalin, Kananga, Leyte, respondent used government laborers and workers and government equipment. Respondent, in defense, sought originally to establish that the road leading to his sugarcane plantation on which, admittedly, a government bulldozer and a grader were used, was actually a long existing feeder road and, therefore, the government equipment in question was used to improve and not to construct the same. On cross-examination, however, respondent abandoned this theory, when evidence was shown to negate his claim that the road in question was a feeder road. Truly, it is not among the roads listed for improvement by the 2nd Leyte Engineering District, of which respondent is the Ex Officio District Engineer. His subsequent stand is to the effect that upon representations of the barrio folks within the vicinity through Representative Dominador Tan he allowed the use of the bulldozer and grader in the side-cutting of the road in question, utilizing the services of a government equipment operator on government time and paid out of government funds. At any rate, he maintained, the construction or improvement of the road in question had not benefited him alone for other real estate owners are now using the road and therefore similarly benefited.

Respondent's arguments fail to impress me. It is an undeniable fact that government labor and equipment were used in the prosecution of a project other than that for which it was intended. It is also significant to note that the road in question leads to and actually ends at the landholding of respondent, thereby indicating that the road was really made primarily for his benefit.

Violation of Republic Act No. 3019

Sometime in September 1965 the former President released the total sum of ₱250,000 as a calamity fund for the 4th Congressional District of Leyte. The charge that this fund was used in buying votes during the 1965 elections is not borne out by direct evidence. There, however, is evidence showing that respondent, in an apparent design to avoid calling for bids with regard to the supply of gravel and sand, broke up the requisitions for the same by reducing the value of each to amounts less than ₱10,000. Significantly, too, there was only one supplier, who was paid varying sums of less than ₱10,000. The calamity fund was clearly dissipated by the employment of numerous laborers to work on the repair of certain roads, which when inspected during the investigation, were found to be mere trails or outright ricefields as in the case of Curba-San Vicente-Pikoy-Manlilinao Road. Grave damage has

therefore been caused the government by respondent's mismanagement of the calamity fund under his care.

In view of the foregoing, respondent is therefore found guilty of malversation of public funds on three counts, illegal use of government property and violation of Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act). The offenses committed are of a serious nature to warrant his removal from office.

WHEREFORE, Mr. Godofredo Trinchera is hereby removed from office as City Engineer of Ormoc effective as of the date of his preventive suspension.

Done in the City of Manila, this 4th day of December, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 98
AMENDING ADMINISTRATIVE ORDER NO. 91 DATED OCTOBER 24, 1967, ENTITLED
“DEFINING THE COMPOSITION AND FUNCTIONS OF THE COMMITTEE FOR THE
IMPLEMENTATION OF THE PHILIPPINE-MALAYSIA ANTI-SMUGGLING AGREEMENT.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend the membership of the Committee created under Administrative Order No. 91 dated October 24, 1967, as follows:

<u>“Agency</u>	<u>Member</u>
1. Bureau of Customs	– Asst. Commissioner Cayetano Llamado
2. Bureau of Immigration	– Commissioner Edmundo Reyes
3. Anti-Smuggling Action Center	– Chairman Pelagio Cruz
4. Philippine Navy	– Commodore Pastor Viado
5. Dept. of Foreign Affairs	– Consul-General Rafael A. Gonzales
6. Custody and Disposal Administration	– Administrator Bonifacio O. Ysip, Jr.”

DONE in the City of Manila, this 15th day of December, in the year of Our Lord, nineteen hundred and sixty-seven.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1967). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 99
SUSPENDING FROM OFFICE DISTRICT JUDGE GAUDENCIO CLORIBEL OF MANILA
PENDING INVESTIGATION OF ADMINISTRATIVE CHARGES AGAINST HIM

In Administrative Case No. 121-J, entitled, “SECRETARY OF JUSTICE, Complainant, versus JUDGE GAUDENCIO CLORIBEL, respondent,” the Respondent is charged with serious misconduct and incompetence or inefficiency on seven (7) counts, namely:

(1) That in thirty-seven (37) specified cases, he approved bonds submitted by bonding companies without the initial thereon of the Clerk of Court, attesting to his having verified that the company offering the bond had submitted its monthly statement of assets and liabilities and has no pending obligations to the Court in any amount, on account of unsatisfied execution upon its bonds, as required in a resolution of the Judges of First Instance of Manila;

(2) That in twelve (12) of said cases, Respondent approved said bonds even before the corresponding informations had been filed in court;

(3) That in six (6) specified cases, Respondent approved the bonds “in amounts less than those recommended in the information by the Fiscal” and “without any order from any Judge of the Court reducing the bail to the reduced amount;”

(4) That in nine (9) specified cases, Respondent approved the bail bonds posted by the accused in criminal cases “assigned by raffle to other branches of the Court of First Instance of Manila;”

(5) That in twenty-one (21) specified cases, Respondent issued injunctions restraining the Commissioner of Immigration from arresting and/or requiring certain aliens to leave the country and from confiscating the cash bonds posted in their behalf, under conditions so repugnant to the letter and the spirit of the law as to induce the Supreme Court to censure him in G. R. No. L-23239, decided on November 23, 1966;

(6) That in forty-five (45) specified cases, Respondent had, indiscriminately and contrary to well-settled principles of law, issued ex parte writs of preliminary injunction and/or restraining orders in utter disregard of Canon 15 of the Canons of Judicial Ethics, enjoining Judges “to discourage ex parte hearings of applications for injunctions;” and

(7) That in Commissioner of Immigration vs. Cloribel, G. R. No. L-24139, the Supreme Court had, in a resolution dated August 31, 1967, found Respondent guilty of contempt of said Court, and sentenced him to pay a fine of ₱100.00, for deciding Civil Cases Nos. 58624 and 58782 of the Court of First Instance of Manila, “in open defiance of the directive” contained in a writ of preliminary injunction issued against him on February 10, 1965.

In the same complaint, the Secretary of Justice suggested to the Supreme Court that pending investigation of the charges, the suspension of Respondent be recommended to the President of the Philippines.

The Respondent filed his answer with opposition to his preventive suspension and upon consideration thereof, the Supreme Court, in its resolution dated January 4, 1968, noted that the allegations of facts made in the complaint have been substantially admitted by the Respondent in his answer, and that Respondent merely tried to justify the performance of the acts imputed to him. The Supreme Court noted that Respondent decided two cases of the Court of First Instance of Manila “in open defiance of the directive to the contrary” contained in a writ of preliminary injunction issued by it in Case No. L-24139, and that it had censured him in Case No. L-23239 “because he had pursued thereon a practice we have repeatedly rejected and condemned in many cases disposed of by him prior thereto, so that he must have been aware of the repudiation of his previous acts by the Supreme Court.” It has pointed out that “adherence to the Rule of Law which, to a considerable extent, is dependent upon the people’s faith in the Courts of Justice and the members of the Judiciary, is of greater and paramount importance,” especially when the serious charges filed are based on public records, the contents of which cannot be and are not contested. The Supreme Court, noting further that in view of the seriousness of the charges, and that the nature of the defense set up by the Respondent being such that its success or failure would, in all probability, depend upon the testimonial evidence of court officers and employees, of public prosecutors and private practitioners, and of parties to litigations, who would be under his authority, were he to continue discharge of his functions, has recommended the Respondent’s suspension as a matter of imperative necessity.

WHEREFORE, as recommended by the Supreme Court and pursuant to the provisions of Section 67 of the Judiciary Act of 1948, as amended, the Honorable GAUDENCIO CLORIBEL, District Judge of Manila, is hereby suspended from office effective upon his receipt of a copy of this Order, pending investigation of the charges against him.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 100

AUTHORIZING AND EMPOWERING THE GOVERNOR OF THE LAND AUTHORITY TO SIGN AND ISSUE LAND PATENTS OR CERTIFICATES FOR LOTS IN PUBLIC AGRICULTURAL LANDS RESERVED FOR OR PLACED UNDER THE MANAGEMENT AND DISPOSITION OF THE DEFUNCT NATIONAL RESETTLEMENT AND REHABILITATION ADMINISTRATION.

WHEREAS, pursuant to the provisions of Republic Act No. 1160, the defunct National Resettlement and Rehabilitation Administration (NARRA) was granted, subject to the supervision and control of the President of the Philippines, the power to process and approve homestead, sales, free patent and other applications for the acquisition of public agricultural lands reserved for or placed under its custody, administration and disposition and to prepare and issue in the name of the Government of the Republic of the Philippines, land patents or certificates for the lands applied for without coursing the papers relative thereto to the Bureau of Lands and the Department of Agriculture and Natural Resources;

WHEREAS, pursuant to Section 73 of Republic Act No. 3844, otherwise known as the Agricultural Land Reform Code, the National Resettlement and Rehabilitation Administration was abolished and its powers and functions have been transferred to the Land Authority, a government agency which is directly under the supervision and control of the President of the Philippines; and

WHEREAS, administrative efficiency will be greatly enhanced and the speedy distribution of lands to landless citizens immediately effected if the provisions of Republic Acts Nos. 1160 and 3844 are implemented;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize and empower the Governor of the Land Authority to sign and issue in the name of the Government of the Republic of the Philippines land patents or certificates pertaining to public agricultural lands reserved for or placed under the custody, administration and disposition of the defunct National Resettlement and Rehabilitation Administration and to affix thereto the Official Seal of the Land Authority. Land patents or certificates issued pursuant to this authority shall be signed by the Governor of the Land Authority "By authority of the President of the Philippines".

This Order shall take effect immediately.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 101

REPRIMANDING MR. ERIBERTO A. UNSON, PROVINCIAL SHERIFF EX OFFICIO OF DAVAO.

This is an administrative case against Provincial Sheriff ex officio Eriberto A. Unson and Deputy Sheriffs Jovito P. Verzosa, Bienvenido C. Plata and Jose Villanueva, all of Davao, for gross negligence in the performance of their duties in connection with the execution of writs of execution issued by the Court of First Instance of said province, which was investigated by the Executive Judge of the Court of First Instance of Davao.

In a decision rendered on August 12, 1966, in Administrative Case No. R-27976 the Commissioner of Civil Service found the respondents except Eriberto A. Unson guilty as charged and imposed upon each of them a fine of one (1) month's pay with a warning that commission of the same offense will be dealt with more drastically. The decision does not cover Provincial Sheriff ex officio Eriberto A. Unson, being Presidential appointee.

In denying the charge against him, respondent Unson claims that the delay in the enforcement of the writs of execution issued by the court in civil cases was due to the difficulty encountered by the serving officers (Deputy Sheriffs) in locating the defendants or judgment debtors; that he could not be held responsible on command responsibility for the acts of his deputies because he had issued memoranda on several dates to the deputy sheriffs even before the administrative case against him was filed, requiring him deputies to return to the court the legal processes particularly the writ of execution within the required period and to notify the attorney concerned of the action taken, if any. The Investigating Judge, after considering the defense offered by respondent, believes "that it is not enough for him [respondent Unson] to sign memoranda what he should have done is to see and follow up whether his deputies complied with their assigned task which he failed to do in this case."

The Department of Justice concurs in the findings of the Investigating Judge that respondent Unson is responsible "for not diligently seeing and following up that his deputies perform their duties punctually and promptly," and for which he is liable for the undue delay incurred by his subordinates. The Department in finding respondent Unson guilty of negligence, however, recommends reprimand, as respondent's "numerous responsibilities, being also a clerk of court, should be considered in his favor as materially contributing to his inability to exercise executive supervision over his deputies."

After going over the records of the case, I find the findings of the Investigating Judge well taken.

Wherefore, and as recommended by the Investigating Judge and the Department of Justice, Mr. Eriberto A. Unson, Provincial Sheriff ex officio of Davao, is hereby reprimanded and warned that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 8th day of January, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 102
REPRIMANDING AND WARNING FOR MR. AURELIO LOPEZ, CITY ENGINEER OF ILOILO.

This is an administrative case against Mr. Aurelio Lopez, City Engineer of Iloilo, filed motu proprio by the Bureau of Public Highways (BPH), charging him with gross violation of regulations and negligence on five (5) counts. Of the five, the then Acting Commissioner of Public Highways and the former Undersecretary of Public Works and Communications found respondent guilty only of the second and fourth counts, to wit:

(a) Violation of the Rule V-B-13 of Bureau of Public Highways (BPH) Memorandum Circular No. 40 dated May 18, 1959, and Section 2048 of the Revised Administrative Code, as amended, by purchasing six (6) concrete carts without the prior approval of the Commissioner of Public Highways or the Secretary of Public Works and Communications; and

(b) Violation of BPH Revised Administrative Order dated September 22, 1954, by releasing on lease one road grader without a written contract of lease and failing to require payment of rentals thereon.

The record shows that respondent failed to secure the prior approval of the Commissioner of Public Highways and the Secretary of Public Works and Communications in the acquisition of six (6) concrete carts at a cost of ₱3,300 (Exh. D). Respondent claims that the purchase in question was on an emergency basis and that further delay in completing the project on which the carts in question were badly needed might cause accidents. The defense is untenable, because the emergency referred to was not sufficiently proven and fear of accidents, which was merely anticipatory, is not sufficient cause for making emergency purchases. Respondent's other defense that he was ignorant of the aforesaid law and regulations deserves scant consideration, since it is elementary that ignorance of the law excuses no one.

It is also substantiated by the records that respondent rented out a road grader to a private contract, BORMAHECO CO. INC., in violation of BPH Revised Administrative Order dated September 22, 1954. Respondent claims that he was forced to dispense with the execution of the contract of lease because of the impending danger to life and property, that the use thereof was for a short duration only and in view of the urgent representations by the Civil Aeronautics Administration to expedite the lease of said equipment. The defense cannot be given much weight because of the existence of the order expressly requiring the execution of contracts of lease.

Although there is no question that respondent is guilty as charged, no material damage or loss was suffered by the government, it appearing that the contractor not only requested the City Treasurer of Iloilo to deduct the corresponding rentals for the road grader from any amount due it from the Civil Aeronautics Administration but it also agreed to be bound by the conditions and stipulations of the standard government contract of lease of equipment. Moreover, there is no evidence that respondent

profited from the transaction involving the purchase of six (6) carts which were actually used on the project to which they were intended.

Wherefore, and upon recommendation of the Department of Public Works and Communications, respondent is hereby reprimanded and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 8th day of January, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 103

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 93 DATED MAY 5, 1964, AS
AMENDED BY ADMINISTRATIVE ORDER NO. 16 DATED AUGUST 8, 1966, AND
ADMINISTRATIVE ORDER NO. 95 DATED NOVEMBER 22, 1967.

The composition of the Presidential School Building Committee created under Administrative Order No. 93 dated May 5, 1964, as amended by Administrative Order No. 16 dated August 8, 1966, and Administrative Order 95 dated November 22, 1967, is hereby further amended as follows:

The Undersecretary for Transportation and Communications.....	Chairman
The Undersecretary of Defense	Member
The Undersecretary of Education	Member
The Undersecretary of Natural Resources	Member
The Deputy Commissioner of the Budget	Member
The Assistant to the Secretary of Community Development	Member

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 104

CREATING A COMMITTEE TO TAKE CHARGE OF ALL ARRANGEMENTS IN CONNECTION
WITH THE FIRST ANNUAL MEETING OF THE BOARD OF GOVERNORS OF THE ASIAN
DEVELOPMENT BANK TO BE HELD IN MANILA FROM APRIL 4 TO 6, 1968.

WHEREAS, Philippine Government will host the first annual meeting of the Board of Governors of the Asian Development Bank from April 4 to 6, 1968; and

WHEREAS, there is a need to create a committee to take charge of all the arrangements in connection with the meeting to insure its success;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to take charge of all arrangements in connection with the first annual meeting of the Asian Development Bank Board of Governors composed of the following:

The Secretary of Finance	Chairman
The Commissioner of the Budget	Member
The Secretary of Commerce and Industry	Member
The Secretary of Public Works and Communications	Member
The Secretary of National Defense	Member
The Undersecretary of Foreign Affairs	Member
The Director-General, Presidential Economic Staff	Member
The Undersecretary of Education	Member

The Committee is hereby authorized to create such sub-committees as it may deem necessary and to call upon any department, bureau, office agency or instrumentality of the government for such assistance as it may need in discharging its duties and functions.

The release of ₱100,000 to defray the expenses of the meeting is hereby authorized.

Done in the City of Manila, this 5th day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 105

MODIFYING ADMINISTRATIVE ORDER NO. 54 DATED MAY 16, 1967, BY CONSIDERING
MR. MONEBRIO F. ABELLANA, FORMER CHIEF OF POLICE OF DAVAO CITY,
AS HAVING RESIGNED FROM THE SERVICE.

Upon a request for reconsideration filed by Mr. Monebrio F. Abellana who was removed from office as Chief of Police of Davao City under Administrative Order No. 54 dated May 16, 1967, and considering his length of service (about twenty-two years) to the government, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 54 dated May 16, 1967, by considering him as having resigned from the service effective as of the date of his preventive suspension, without prejudice to receiving whatever leave and retirement benefits he may be entitled to under the law.

Done in the City of Manila, this 9th day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 106

AMENDING ADMINISTRATIVE ORDER NO. 40 DATED DECEMBER 28, 1962, ENTITLED
“AUTHORIZING THE FIELDMEN’S GUARANTY CO., INC. TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 40 dated December 28, 1962, entitled “Authorizing the Fieldmen’s Guaranty Co., Inc. to become a surety upon official recognizances, stipulations, bonds and undertakings” by changing the name of the Surety Company, whenever used in said Order, to “FILRITERS GUARANTY ASSURANCE CORPORATION.”

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 107

DESIGNATING THE MEMBERS OF THE PHILIPPINE GROUP THAT WILL STUDY AND RECOMMEND WAYS AND MEANS IN ORDER TO ENHANCE OUR ECONOMIC AND TECHNICAL COOPERATION WITH THE GOVERNMENTS OF THAILAND, MALAYSIA AND INDONESIA.

WHEREAS, pursuant to the agreements embodied in Paragraph 4 of the Joint Communiqué issued at the conclusion of my State Visit to Thailand, the two governments undertook to take positive measures to promote further their trade relations and to formulate programs for mutual technical assistance, for cooperation scientific research, and for the exchange of specialists, students and trainees as well as of scientific information; and

WHEREAS, the Joint Communiqués issued at the end of my State Visits to Malaysia and Indonesia likewise provided for the exchange of planting materials of improved varieties or strains of agricultural crops and superior breed of livestock;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested to me by law, do hereby constitute and designate the members of the Philippine Group to implement the agreements as follows:

Secretary of Foreign Affairs
Secretary of Finance
Secretary of Agriculture and Natural Resources
Secretary of National Defense
Secretary of Education
Secretary of Commerce and Industry
Director, Presidential Economic Staff
Governor, Central Bank
Ambassador Mauro Calingo, Philippine Ambassador to Thailand
Ambassador Romeo Busuego Philippine Ambassador to Malaysia
Ambassador Modesto Farolan, Philippine Ambassador to Indonesia
Assistant Secretary for Economic Affairs, DFA
Assistant Secretary for Legal Affairs, DFA
Consul General Cristeta A. Feria
Mr. Oscar Arellano
Mr. Francisco Ortigas, Jr.

The Philippine Group is authorized to engage the services of such technical assistants or personnel as may be needed for the negotiation herein referred to.

The necessary expenses that may be incurred by the Group in the performance of its work shall be chargeable to the Office of the President.

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(SGD.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 108

DESIGNATING THE MEMBERS OF THE JOINT COMMISSION THAT WILL MEET WITH ITS
INDONESIAN COUNTERPART TO REVIEW, UPDATE, REVISE, OR MODIFY ALL EXISTING
BILATERAL AGREEMENTS WITH A VIEW TO IMPROVING OR ACCELERATING THEIR
IMPLEMENTATION AND FOR OTHER PURPOSES ON MUTUAL COOPERATION.

WHEREAS, pursuant to Paragraph 5 of the Joint Communiqué issued at the conclusion of my State Visit to Indonesia, the two Heads of State agreed to form a Joint Commission to meet as soon as possible to review, update, revise or modify all existing bilateral agreements, with a view to improving them or accelerating their implementation for the mutual benefit of the two countries and likewise study and recommend ways and means by which their countries may be of immediate economic help to each other;

WHEREAS, the two Heads of State likewise discussed in the same Communiqué the desirability of formulating programs for mutual technical assistance, especially for increasing rice production, for cooperation in scientific research, and for the exchange of specialists, students and trainees as well as of scientific information; and

WHEREAS, it is deemed urgent that the Philippine membership in the Joint Commission be constituted to sit down with its Indonesian counterpart to carry out the foregoing terms of reference;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby constitute and designate the members of the Philippine Panel as follows:

Secretary of Foreign Affairs - - - - -	Chairman
Secretary of Finance - - - - -	Member
Secretary of Agriculture and Natural Resources - - - - -	Member
Secretary of National Defense - - - - -	Member
Secretary of Education - - - - -	Member
Secretary of Commerce and Industry - - - - -	Member
Director, Presidential Economic Staff - - - - -	Member
Governor, Central Bank - - - - -	Member
Assistant Secretary for Economic Affairs, DFA - - - - -	Member
Assistant Secretary for Legal Affairs, DFA - - - - -	Member
The Flag-Officer-in-Command, Philippine Navy - - - - -	Member
The Commissioner of Customs - - - - -	Member
The Commissioner of Immigration - - - - -	Member
Chairman, ASAC - - - - -	Member
Mr. Oscar Arellano - - - - -	Member
Mr. Francisco Ortigas, Jr. - - - - -	Member
Miss Cristeta A. Feria, Secretary of the Committee - - - - -	Member

The Philippine Panel is authorized to engage the services of such technical assistants or personnel as may be needed for the negotiations herein referred to.

The necessary expenses that may be incurred by the Committee in the performance of its work shall be chargeable to the Office of the President.

Done in the City of Manila, this **13th** day of **February**, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RAFAEL M. SALAS**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 109

DESIGNATING THE MEMBERS OF THE PHILIPPINE COMMITTEE THAT WILL DISCUSS AND NEGOTIATE WITH THE MALAYSIAN GOVERNMENT A REVISED AGREEMENT ON THE RECRUITMENT OF FILIPINO LABORERS FOR SABAH.

WHEREAS, pursuant to Paragraph 8 of the Joint Communiqué issued at the end my State Visit to Malaysia, negotiations would be pursued as soon as possible leading to the conclusion of a revised labor agreement between the two Countries; and

WHEREAS, it is deemed necessary that a Philippine Committee sit down with its Malaysian counterpart for the purpose of discussing and negotiating a revised agreement on the recruitment of Filipino laborers for Sabah;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, pursuant to the powers vested in me by law, do hereby designate the members of the Philippine Committee as follows:

Hon. Blas F. Ople	
Secretary of Labor	Chairman
Hon. Juan Ponce Enrile	
Undersecretary of Finance.....	Member
Hon. Raoul M. Inocentes	
Undersecretary of Labor	Member
Hon. Gauttier Bisnar	
Assistant Secretary of Local Affairs	
Department of Foreign Affairs	Member
Hon. Pablo A. Peña	
Assistant Secretary of Political Affairs,	
Department of Foreign Affairs	Member
Hon. Edmundo Reyes	
Commissioner of Immigration	Member
Hon. Pelagio Cruz	
Chairman, ASAC	Member
Commodore Pastor Viado	
Philippine Navy	Member
Alternate - Capt. Ismael Lomibao	
Minister Mariano Logarta	
Assistant Secretary of Consular Affairs	
Department of Foreign Affairs	Member

Miss Cristeta A. Feria
Senior Official
Office of Political Affairs
Department of Foreign Affairs Member
Mr. Rafael A. Gonzales
Senior Official
Department of Foreign Affairs Member

The Philippine Committee is authorized to engage the services of such technical assistants or personnel as may be needed for the negotiation herein referred to.

The necessary expenses that may be incurred by the Committee in the performance of its work shall be chargeable to the Office of the President.

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 110
CREATING A COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A UNIVERSITY
TO BE KNOWN AS THE UNIVERSITY OF SOUTHEAST ASIA.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to study the feasibility of establishing a university geared towards the promotion of better understanding and development of regional solidarity and cooperation among Asians in the fields of economics, education, science and culture, to be known as the University of Southeast Asia.

The Committee is composed of:

The Secretary of Education	Chairman
The Executive Secretary	Member
The President, Mindanao State University	Member

The Committee shall submit its report and recommendations within the earliest possible time.

Done in the City of Manila, this 16th day of February, in the year of our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 111

**DIRECTING THE BUREAU OF THE CENSUS AND STATISTICS TO UNDERTAKE THE
SERVICING OF THE RECONCILIATION OF MONEY ORDERS ISSUED AND PAID BY THE
BUREAU OF POSTS.**

In view of the urgency of instituting reforms in the Philippine Postal Money Order System to bring about speedy issuance, payment, disposition, and reconciliation of money orders issued and paid, and the need to make current the recording and reconciliation of the same in order that a new and improved system may be adopted by July 1, 1968, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in by law and upon the recommendation of the Joint Committee on Financial Management Improvement Program created under Executive Order No. 54, series of 1966, do hereby order and direct the Bureau of the Census and Statistics to undertake the servicing of all unreconciled money order issues to be specified in a "Service Agreement" to be entered into by and between the Bureau of Posts, until the new proposed system will have been installed. The Bureau of the Census and Statistics will also provide the necessary technical assistance that may be needed by the Joint Committee on Financial Management Improvement Program to effectively pursue the project.

In the performance of this undertaking, the Budget Commissioner is hereby directed to make immediately available any outlay needed to meet the costs of servicing the reconciliation of the money orders involved; the bureau of the Census and Statistics authorized to engage the services of additional personnel to meet the timetables set by the Auditor General and the Postmaster General; and any office that may be called upon to render assistance on the project enjoined to extend its whole cooperation.

Done in the city of Manila, this 22nd day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 112

MODIFYING ADMINISTRATIVE ORDER NO. 79 DATED AUGUST 14, 1967, SUSPENDING
MR. CARLO H. LOZADA FROM OFFICE AS FIRST ASSISTANT PROVINCIAL FISCAL OF
SURIGAO DEL NORTE.

After considering the representations contained in the petition for reconsideration filed by First Assistant Provincial Fiscal Carlo H. Lozada of Surigao del Norte who was ordered suspended from office for a period of one (1) year without pay and warned under Administrative Order No. 79 dated August 14, 1967, for improper conduct, oppression and harassment, I am satisfied that he deserves a less severe penalty.

Wherefore, Administrative Order No. 79 dated August 14, 1967, is hereby modified in the sense that the penalty imposed on First Assistant Fiscal Carlo H. Lozada of suspension from office for one (1) year without pay is reduced to four (4) months.

Done in the City of Manila, this 22nd day of February, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 113
CREATING AN OPERATIONS STAFF FOR THE EXECUTIVE COMMITTEE CREATED UNDER
EXECUTIVE ORDER NO. 114-A FOR THE IMPLEMENTATION OF INFRASTRUCTURE
PROGRAMS AND ASSIGNING PERSONNEL THERETO.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create an Operations Staff to service the Executive Committee created under Executive Order No. 114-A for the implementation of infrastructure programs. This operating staff shall hold office at the Infrastructure Operations Room, Camp General Emilio Aguinaldo and shall be organized and initially staffed as follows:

OFFICE OF THE CHAIRMAN, ECIP

Technical Assistants	– Mr. Solomon B. Torrado, BPH
	– Mr. Erasmo D. Ancheta, HPN
	– Mr. Rolando D. Gonzales, DPWC
Special Assistants	– Mr. Aquilino R. Sta. Ana, BP
	– Mr. Ernesto dela Cruz, BPW
Clerk Receptionist	– Miss Beatriz Ragonjan, BP
Steno-typist	– Mr. Jovito Garcia, BPH
Clerk	– Miss Carmelita Ragonjan, BP
Liaison Officer	– Mr. Ernesto Resurrecion, PACPWCD

OFFICE OF THE CHIEF OPERATIONS OFFICER, IOR

Chief Operations Officer	– Mr. Carlos C. Leaño, Jr., BPW-PES
Operations Officer for Military Affairs	– Maj. Roberto Reyes, DND-PES
Liaison Officer	– Mr. Petronilo Gaitos, Jr., O/President
Secretary	– Miss Cora Padua, BPW

A. Project Monitoring Office

Operations Officer	– Maj. Gregorio R. Vigilar, GHQ AFP
Asst. Operations Officer	– Mr. Simplicio M. Santos, BPH
Progress Engineers	– Mr. Froilan Peredo, BPH
	– Mr. Vitaliano dela Vega, BPW
	– Mr. Jovencio Ocampo, CAA
	– Mr. Paterno Escudero, Butel
	– Mr. Ronulo Colona, NIA

Researchers	– Mr. Federic Castro, BPW
	– Mr. Alejandro de Leon, IOR
Evaluator	– Miss Geraldine Maayo, IOR
	– Mr. Manuel Contreras, IOR

(1) Communication Center

Communication Officer	– Capt. Victor Natividad, GHQAFP
Asst. Comm. Officer	– 2Lt. Marianito Estal, GHQAFP
Command Center Supervisor/Technician	– S/Sgt. Hector Piscano, GHQAFP
Sr. Teletype Operators	– Sgt. Jesus Bondoc, GHQAFP
	– Sgt. Roberto Valencia, GHQAFP
Sr. Telephone Operator	– S/Sgt. Victorino Hosmillo, GHQAFP
Teletype Operators	– Cpl. Leonardo Monson, GHQAFP
	– Pfc. Jose Clerigo, GHQAFP
Communications Clerk	– Pfc. Cipriano Beltran, GHQAFP
Telephone Repairman	– T/Sgt. Lucio Dollosa, GHQAFP
Telephone Operators	– Pfc. Filomena de los Reyes, GHQAFP
	– Miss Lydia Zuñiga, HPC
	– Miss Clarita San Jose, GHQAFP
	– S/Sgt. Honesto Retrato, GHQAFP
Central Office Technician	– T/Sgt. Patricio Estolas, GHQAFP

(2) Electronic Data Processing Section

Chief Programmer	– Capt. Juan Sanchez, OSND
Programmers	– Mr. Manuel Cajucom Jr., IOR
	– Mr. Franklin Escalante, IOR
	– Mr. Rogelio Mercado, IOR
	– Mr. Rolando Suarez, PSBC
	– Mr. Tomas C. Patag, Jr., IOR
	– Mr. Jose Marfori, DND
Keypunchers	– Miss Rosalina Matias, IOR
	– Miss Maximina Seron, BPH

B. Performance Evaluation Office

Operations Officer	– Mr. Jesus M. Sunga, DPWC-PES
Assistant Operations Officer	– Mr. Teodoro Encarnacion, DP
Technical Consultant	– Mr. Camilo Mabini, IOR
Performance Engineers	– Maj. Amado Santiago, 51EB, A
	– Mr. Benjamin Panganiban, BP
	– Mr. Pablo Castaneda, BPH
	– Mr. Leonardo Miranda, NIA
Fiscal Analyst	– Mr. Lucio Topacio, BC

C. Equipment and Materials Management Office

Operations Officer	– Mr. Marcial Manalaysay, MDA
Asst. Operations Officers	– Mr. Adelaido Encarnacion, BPH (Eqpt.)
	– Mr. Vicente Martinez, DPWC (Mat)
Technical Consultant	– Mr. Tomas de Guzman, NIA
Equipment Engineers	– Mr. Edilberto Vergara, BPH
	– Mr. Rizal Ramos, DPWC
	– Mr. Silverio Felarca, NIA

D. Administration Office

Administrative Officer	– Mr. Aurelio Lopez, BPH
Asst. Administrative Officers	– Capt. Victor Natividad, GHQAFP (Services)
	– Mr. Sixto Casuga, IOR(Pers/Adm)
Finance/Disb. Officer	– Mr. Simplicio M. Agozar, IOR
Procurement/Accountable Officer	– Mr. Jesus G. Teraplor
Budget/Fiscal Officer	– Mr. Prospero Morelos, DPWC
Records Officer	– Mr. Benito Luistro, HPN
Supply Clerk	– Miss Isabel Tañaquin, Butel
Records Clerk	– Mrs. Flordeliza Briones, PS
Superintendent of Bldg. & Grounds	– Mr. Paciano de Jesus, IOR
Electrician	– Mr. Jose S. Pinuela, IOR
Air Cond. Mechanic	– Mr. Reynaldo Lopera, IOR
Carpenter-plumber	– Mr. Pedro Castaneda, IOR
Messenger	– Mr. German Guariña, IOR
Janitors	– Mr. Ruben Nalundasan, IOR
	– Mr. Sancho Montemayor, IOR
	– Mr. Apolonio Ramolette, Jr., IOR
Drivers	– Mr. Aquilino Valencerina, BP
	– Mr. Pedro Fabian, BP

(1) Steno-typing Pool

Steno-typists	– Miss Maria Sa Andam, LTC
	– Mrs. Lydia Guinto, GHQAFP
	– Miss Zenaida Navasca, OSND
	– Mrs. Erlinda Matibag, GHQAFP
Clerk-typists	– Miss Angelina Lazaro, IOR
	– Miss Erna Saguiapin, IOR
	– Miss Aida Soria, IOR
	– Mr. Manolo Fadrihan, IOR
	– Miss Cenonah V. Reyes, IOR

E. Drafting Section

Sr. Draftsman	– Mr. Pedro Jacinto. BPW
Draftsmen	– Mr. Generoso Casidsid, BPW
	– Mr. Marciano Santiago Jr., B
	– Mr. Amado Bernabe, NIA
	– Mr. Alfonso Nepomuceno, BPH

All existing details, appointments, contracts, and assignments of personnel to the former Infrastructure Operations Center who are not included in this Order are hereby terminated effective March 1, 1968.

This Order shall take effect immediately.

Done in the City of Manila, this 4th day of March, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 114
REMOVING FROM OFFICE DISTRICT JUDGE GREGORIO D. MONTEJO OF THE COURT OF
FIRST INSTANCE OF ZAMBOANGA CITY.

This is an administrative proceeding instituted before the Supreme Court by Porfirio S. Doctor against the Honorable Gregorio D. Montejo, District Judge of the Court of First Instance of Zamboanga City, for abuse of judicial authority, ignorance of the law and the advancement of personal interests thru judicial acts. Asked to explain the charges, the respondent judge did not deny the acts imputed to him, but put up reasons and circumstances in justification therefor. The investigator designated by the Supreme Court to investigate the charges, Mr. Justice Carmelino Alvendia of the Court of Appeals, did not find it necessary to conduct a formal hearing because, in his words, the respondent judge has “admitted the commission of all the acts complained of and x x x the only question left to be resolved is whether or not the reasons given by the respondent to justify his actuations are valid and meritorious.” The charges against the respondent as well as the conclusions of the investigator and the Supreme Court shall be discussed later.

It appears that in Administrative Case No. 74, the Supreme Court in its resolution of March 30, 1962, found the herein respondent judge to have committed the following acts:

First. In Civil Case No. 256, respondent judge failed to resolve a motion for a bill of particulars until after the lapse of seven months, and yet filed his certificate of service every 15th day and; end of each month during the said period. The Supreme Court then advised him that, since he found it unnecessary to hear the parties, the motion as well as the reply thereto need not be set for hearing, and should have been acted upon without delay or within a reasonable period of time.

Second. In Criminal Case No. 989, the respondent found in his decision that the accused “really attempted to commit the act of sexual intercourse on the person of Morita Ambon,” yet, he did not convict the accused of attempted rape but of mere acts of lasciviousness.

Third. In Criminal Case No. 810, for rape, the respondent said in his decision that “there was an attempt made by the accused to disrupt the virginity of the offended party, Morita Djurian, but an attempt is not a crime of rape as stated in the information.” Instead of sentencing the accused for attempted rape there being a finding to that effect, the respondent rendered a judgment of acquittal which, in the language of the Supreme Court, was “a clear case of miscarriage of justice.”

Fourth. In Criminal Case No. 420, for murder with triple frustrated murder, the respondent found the accused guilty as charged, but imposed a penalty other than the one prescribed by law.

The Supreme Court in aid Administrative Case No. 74 resolved “to admonish him to be more careful in the future with the warning that a repetition of similar errors will not be countenanced and will be the subject of a stern disciplinary action.” (Resolution of March 30, 1962.)

In the present administrative case, the charges levelled against the respondent judge, and which he did not deny, are the following:

Charge No. 1. In Criminal Case No. 1008 of the Court of First Instance of Basilan City, Hadji Abdurajak and Mohamad Latib, father and son, were accused of smuggling. The indictment avers that the defendants were” apprehended in the possession, custody and control of two boxes containing 100 cartons of untaxed Union cigarettes. The respondent’s decision in the case promulgated on September 8, 1960, mentions the manifestation of the counsel for the accused that the “accused Hadji Abdurajak is willing to plead guilty to the information, thereby exculpating his son Mohamad Latib, from the charge.” After declaring that the “accused waived their right of arraignment after the admission by Hadji Abdurajak that the cigarettes in question belong to him ,”the respondent sentenced the accused Hadji Abdurajak to pay a fine of ₱100.00, with subsidiary imprisonment in case of insolvency. The other accused, Mohammad Latib, was acquitted.

On the same date, September 8, 1960; the respondent judge, acting on a verbal notion of the defense counsel, ordered the return of the 100 cartons of Union cigarettes to the accused, justifying his act by stating that the case has already been terminated and that there was no objection on the part of the prosecution.

Under Section 174 of Commonwealth Act No. 466, as amended by Section 15 of Republic Act No. 1608, violation thereof is punishable “by a fine of not less than three times the amount of the specific tax due on the articles found but not less than ₱200.00 nor more than ₱5,000.00, or by imprisonment of from four months and one day to four years and two months, or both.” Normally, therefore, the imposable fine should be not less than ₱200.00. But since the accused in said Criminal Case No. 1008 is a Muslim the fine of ₱100.00 imposed by the respondent was justified under Section 106 of the Administrative Code for Mindanao and Sulu which authorizes a judge to impose on Moros and non-Christians a penalty lower than the minimum prescribed by law.

The respondent, however, erred grievously in concluding that Hadji Ahdurajak’s plea of guilty exculpated the latter’s son, Mohamad Latib. No principle of law can be found to sustain the proposition that a plea of guilty by one accused cancels out the criminal liability of his co-accused. More condemnable is respondent judge’s order returning the contraband cigarettes to the accused, after finding him guilty. Since the possession of untaxed cigarettes is specifically prohibited and punished by Section 174 of the Tax Code, as contraband articles, they should have been forfeited in favor of the government. Indeed, I cannot but view the respondent’s acts in said Criminal Case No. 1008 as a serious drawback to the campaign being waged by this administration to stamp out smuggling.

Charge No. 2. In Criminal Case No. 1036, Patrolman Rodolfo Aquino was accused of slight physical injuries. After trial, respondent judge found the accused guilty of the crime charged and sentenced him to a prison term of 20 days. On the day the sentence was read, the accused moved that the penalty of 20 days imprisonment be modified and, instead, that a fine of ₱100.00 be imposed upon him. The respondent judge amended the sentence and did the accused one better by reducing the penalty to a fine of ₱30.00.

The penalty for slight physical injuries is “arresto menor or a fine not exceeding ₱200.00 and censure.” (Art. 266, par. 2, Revised Penal Code.) In his decision, the respondent found that the commission of the crime was attended by the aggravating circumstance of abuse of official functions because the accused was a policeman and was in uniform at the time. Instead of applying the penalty in the maximum decree, since the aggravating circumstance was not offset by any mitigating circumstance, he modified the corporal penalty of 20 days imprisonment to a mere fine in the insignificant amount of ₱30.00, even much less than the amount of ₱100.00 prayed for by the accused. The sentence did not even include censure. The respondent judge’s justification was that the prosecution did not oppose the accused’s motion for modification of the sentence. This is clearly untenable. The failure of the State to oppose the motion is no license for the judge to apply the law incorrectly.

Charge No. 3. This charge refers to a petition for habeas corpus filed in the respondent's court. The petitioner therein, Jose Carmen, prayed that the respondents Fausta Dulap and Victorino Samson be directed to return to him the person of his estranged wife, Trinidad de Leon. Fausta Dulap is the daughter of Trinidad de Leon. In his decision rendered on August 24, 1960, Judge Montejo found that the respondents Fausta Dulap and Victorino Samson "did not restrain and deprive said Trinidad de Leon of her liberty"; and that they took her only from petitioner's home "because she was sick" and they "wanted to serve her." The decision goes on to say that counsel for both parties were in agreement that "anything now done by Trinidad de Leon is done thru the promptings and insinuations of her daughter Fausta Dulap," and that Trinidad de Leon "is now under the moral spell of Fausta Dulap, and the actuations of said Trinidad de Leon are but undue submissions to the will of Fausta Dulap." The judge then concluded that the petitioner "had a more rightful custody over Trinidad de Leon considering that he is the legal husband," and disposed of the case by ordering the respondents "to return to the petitioner Jose Carmen, the person of Trinidad de Leon, the former being the legal custodian of the said Trinidad de Leon who is his legal wife." Judge Montejo then issued a writ of execution on September 13, 1960, after denying a motion for reconsideration filed by the respondents.

The rule is now established that habeas corpus is available only if there exists "undue restraint or deprivation of liberty," a "moral or nominal restraint" not being sufficient. (*Zagala vs. Ilustre*, 48 Phil. 282, 283.) And just as settled is the doctrine that a wife may not be compelled to live with her husband "where even without legal justification she establishes her residence apart from that provided for by" the husband. (*Atilano vs. Chua Ching Beng*, 103, 255, 260.) While the judge in his decision found that Trinidad de Leon was merely under the "moral spell" of Fausta Dulap, and that the "actuations of Trinidad de Leon were but undue submissions" to the will of Fausta Dulap – findings that indubitably show that Trinidad de Leon was not actually restrained or deprived of her liberty – he granted the petition for habeas corpus, ordered the respondents Fausta Dulap and Victorino Samson to return to the petitioner Jose Carmen, the person of Trinidad de Leon, and thereby compelled the latter, against her will, to live with her husband Jose Carmen.

Subsequent events to the disposition of the habeas corpus case revealed the respondent judge's personal interest in having Trinidad de Leon returned to the custody of Jose Carmen. When the petition for habeas corpus was filed on July 6, 1960, there existed a deed of absolute sale covering a parcel of coconut land at Isabela, Basilan City, lacking only the thumbmark of Trinidad de Leon to finalize the document. The vendee named in the deed is Maria D. Palacio, a niece of the respondent's wife Rosalia Mendiola. After Trinidad de Leon was returned to Jose Carmen's custody pursuant to the order of the respondent judge in the habeas corpus proceeding, the deed of absolute sale was consummated with the thumbmark of Trinidad de Leon affixed on the document. On December 8, 1960, Maria D. Palacio sold the same parcel of land to her aunt Rosalia Mendiola Montejo. The corresponding deed of sale to the respondent's wife was registered in the Office of the Register of Deeds of Basilan City on December 15, 1960, and TCT No T-1058 was issued in the name of "Rosalia Mendiola Montejo, married to Gregorio D. Montejo."

By the facts adduced the following situation is thus depicted: Jose Carmen wanted to sell a piece of real property but could not finalize the necessary deed of sale because he could not get the thumbmark of his wife Trinidad de Leon – who was living with the latter's daughter – affixed to the document. Jose Carmen petitioned the respondent judge in a habeas corpus proceeding to have the person of Trinidad de Leon delivered to his custody. The respondent judge, though finding that Trinidad de Leon was not being deprived of her liberty, and against established precedents on the matter, ordered the person of Trinidad de Leon returned to Jose Carmen. After this was accomplished, the deed of absolute sale of the property above mentioned was finalized by the affixing of Trinidad de Leon's thumbmark

on the document and the property was transferred to Maria D. Palacio, Judge Montejo's niece-in-law. And less than three months after the habeas corpus decision was executed, the property finally found its way into the hands of the respondent judge's wife, Rosalia Mendiola Montejo.

A judge is an arbiter of the law. His Office requires him at all times to be alert in his rulings and in the conduct of the business of his court to make it useful to litigants and to the community. A judge's conduct should, therefore, be above reproach; "he should not allow outside Batters or his private interests to interfere with the prompt and proper performance of his office;" (Canon 31, Canons of Judicial Ethics) and he "should abstain from participating in any judicial act in which his personal interests are involved." (Canon 28, id.) As forcefully expressed by the Supreme Court:

"These precepts deserve more than passing consideration. The temper of the times requires full faith and confidence in the judiciary. Prevailing conditions in our society can ill-afford judges insensible to the rule of law. Judicial power, if unbridled in exercise, can become a frightful weapon of injustice. To be underscored is that preamble of the Canons of Professional Ethics sets a serious tone when it warns that: 'The future of the Republic, to a great extent depends upon our maintenance of justice pure and unsullied.' Some such thoughts must have galvanized the mind of Aristotle centuries ago to say that 'justice is the first concern of mankind.'"

I find Judge Montejo to have betrayed the high trust of his judicial office and seriously undermined public faith in impartiality of the judiciary. He disregarded a well-known legal tenet in directing the return of the contraband cigarettes to an accused who pleaded guilty to a charge of illegal possession thereof. He misapplied the law by imposing a mere fine which is short of the penalty prescribed by law and lower than what the accused prayed for. He committed gross misconduct in approving a habeas corpus petition upon unjustifiable grounds, to facilitate the consummation of the sale of a piece of land which ultimately ended up in thy hands of his wife.

Wherefore, and upon the recommendation of the Supreme Court, Judge Gregorio D. Montejo is hereby removed from office as District Judge of Zamboanga City effective upon his receipt of a copy of this order but not later than March 6, 1968.

Done in the City of Manila, this 5th day of March, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 115
MODIFYING ADMINISTRATIVE ORDER NO. 122 DATED MAY 3, 1965, CONCERNING
MR. RICARDO T. MARFORI, FORMER DIRECTOR OF SOILS.

Under Administrative Order No. 122 dated May 3, 1965, Mr. Ricardo T. Marfori was removed from office as Director of Soils for (1) serious misconduct in office consisting of willful failure to pay just debts, (2) grave abuse of authority and dictatorial tendencies on three counts, (3) oppression on two counts and (4) dishonesty on two counts.

Respondent seeks reconsideration of the decision, insisting on his innocence. After a review of the ground relied upon by him in the light of the evidence on record, I find no sufficient justification for modifying the findings of fact arrived at by the special investigator except as to the charges treated below.

With respect to charge 1 for serious misconduct in office, consisting of willful failure to pay just debts in violation of the civil service rules and taking advantage of his position by borrowing money from a subordinate employee, sufficient evidence exists that the contracted loan of ₱500 was made long before respondent became director and that said amount was fully paid to the creditor as admitted in the latter's certification (Exh. 3). Accordingly, respondent is exonerated from this charge.

As regards the count in charge 4 for dishonesty that respondent, as Chief of the Division of Soil Laboratories, received ₱1,000 from Litton & Co. as partial fee for the survey and determination of whether its lands in Hermosa, Bataan, were suitable for cotton farm and another ₱500 as complete satisfaction of all claims for professional services, the records show that out of these sums the amount of ₱1,200 was given to one Rodolfo Quiogue, a contractor for agricultural and landscaping work on farms, who undertook the work of trial planting of cotton at the Litton farm in Hermosa, Bataan, as evidenced by Quiogue's affidavit (Exh. 15). The remaining ₱300 was deposited with the Bureau of Soils to answer for expenses of survey and soil analyses. The balance of ₱205.80 was refunded to Mr. Litton under official receipt No. B-0058814 dated December 2, 1960, after the sum of ₱94.20 for cost of survey and soil analyses had been deducted. While it is true that Mr. Litton took advantage of the services of respondent in his cotton project, I am inclined to believe, however, that the sum of ₱1,200 was not appropriated for respondent's personal benefit. At most, in this instance he engaged in the exercise of his profession as soil technologist without the corresponding permission from the Department Head, for which alone he should be held guilty under this count.

The special investigator, commenting on respondent's petition for reconsideration, states that considering that respondent is a career man, he having been in the government service for almost 40 years and has served the best years of his life in the government, his dismissal from office was a severe penalty.

Wherefore, Administrative Order No. 122 dated May 3, 1965, is hereby modified in the sense that Mr. Ricardo T. Marfori is considered as having resigned from the service without prejudice to reinstatement, subject to existing law, and to the enjoyment of leave and/or retirement privileges to which he might be entitled at the time of his separation from office.

Done in the City of Manila, this 5th day of March, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 116
EXONERATING MRS. CARMEN S. HERRERA ACOSTA, DIRECTOR OF BUREAU OF WOMEN
AND MINORS.

This is an administrative case filed by Mrs. Gliceria M. Strebel and 17 others of the Bureau of women and Minors against Mrs. Carmen S. Herrera Acosta, Director of the said bureau, for misconduct in office consisting of 17 counts, to wit.

1. There were no substantial accomplishments during her incumbency. Plan submitted by her personnel were never implemented.
2. She did not establish definite lines of authority but assigned work at random and refused to “delegate authority inherent in their positions.”
3. She assigned one work to several persons and out adverse comments on such work to others in the same office.
4. She forbade bureau personnel to answer queries by phone insisting on written queries although for the good of the service, her subordinates ignored her. Whenever she was out of the office, she claimed she was in Congress.
5. She is secretive and suspicious and resents reference of matters direct to the Department in her absence.
6. Despite her claim that the Bureau was undermanned, she did not work for the inclusion in the budget of 4 items already approved by WAPCO claiming that she prefers bigger items.
7. In assigning officers-in-charge, she rotated Bureau personnel without regard to the ranking system, allegedly for the purpose of training them for higher positions.
8. In a report on office supplies she instructed her personnel to consider supplies in her cabinet as consumed, when in fact they were not.
9. There is no system in record-keeping hence the loss and misplacement of papers.
10. She is always out of the office but filed only a leave of absence for 1 1/2 days.
11. Her daughter issues orders to office personnel and requests them to report activities in the office to her.
12. She expects loyalty and cooperation from subordinates who cannot find in her the qualities that would command loyalty and cooperation.
13. She does provide representatives of the Bureau with the proper authority to enable them to be effective.
14. In dealing with Nora Ellis, the ILO Adviser, she showed neither respect nor courtesy on the ground that she should not have been appointed because she was not a degree holder.
15. Despite the suggestion of the Secretary to send out for filed work only personnel with a salary of ₱500 or above she sent out “mere” clerks.
16. She does not share with other members of the office such knowledge of operations as would enable them to answer Department queries in her absence.

17. She orders the security guard to open office drawers after office hours and comments on the contents thereof in the morning.

A formal investigation of the charges was ordered and conducted wherein both complainants and respondent were given every opportunity to support their respective sides. In his report, the investigator from the office of the government Corporate Counsel recommended that respondent be reprimanded and given a warning with respect to count 8 and exonerated as to the other charges, which were not sufficiently proven.

The 8th count concerning respondent's instructions to her personnel that supplies in her cabinet should be reported as consumed when in fact they were not was admitted by respondent. For this improper advice, even assuming that it was done to enable the Bureau to acquire a stockpile of additional supplies, the investigator believes that respondent should be reprimanded and warned.

A review of the record supports the investigator's findings, although it is believed that reprimand on count 8 is too severe under the circumstances.

The apparent frivolousness of many of the charges tends to detract from the lofty motivations that should inspire a complaint for the promotion of the interest of the public service. Thus, while it is true that a head of an office owes it to himself and the government to act in such manner as to command the respect and loyalty of his subordinates, it is no less true and basic that the subordinates should respect and obey those who have been placed in positions of authority to enable them to properly and effectively direct the mutual endeavor to accomplish the objectives of the office. The approaches to these objectives must of necessity be decided upon by the head of the office, for it is he who, in the final analysis, must assume responsibility for any failure therein. Any other way would disrupt established procedure and result in confusion and disintegration to the prejudice of the service.

In view of the foregoing, respondent is hereby exonerated. She is, however, advised to be more careful to avoid misunderstandings that tend to engender disrespect. Complainants are likewise advised to avoid pettiness and to extend maximum cooperation to respondent for the good of the service.

Done in the City of Manila, this 19th day of March, in the year of Our Lord nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 117
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF
PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1968.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1968.

The Committee shall be composed of the following:

The Secretary of Education	– Chairman
The Secretary of Labor	– Vice-Chairman
The Press Secretary.....	– Member
The Commissioner of the Budget	– Member
The Commissioner, National Integration Commission	– Member
The Undersecretary of Public Works	– Member
The Undersecretary of National Defense	– Member
The Undersecretary of Commerce	– Member
The Deputy Administrator of Economic Coordination.....	– Member
The Mayor of Manila.....	– Member
The President, Philippine Association of Colleges and Universities (PACU)	– Member
The President, Veterans Federation of the Philippines.....	– Member
The President, Civic Assembly of Women of the Philippines (CAWP)	– Member
The President, Chamber of Commerce of the Philippines	– Member
The Chairman, National Parks Development Committee	– Member
The Presidential Protocol Officer.....	– Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 14th day of April, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 118

CREATING A COMMITTEE TAKE CHARGE OF THE TURNOVER BY THE UNITED STATES GOVERNMENT TO THE PHILIPPINE GOVERNMENT OF THE PACIFIC WAR MEMORIAL ON CORREGIDOR ISLAND.

WHEREAS, the Government of the United States, in cooperation with the Government of the Republic of the Philippines, has constructed a battlefield-type memorial, known as the Pacific War Memorial, on Corregidor Island as a fitting monument to the war efforts and joint sacrifices of the Filipinos and Americans who fought and died in the Pacific area during World War II;

WHEREAS, the Pacific War Memorial will be turned over to the Philippine Government on June 22, 1968; and

WHEREAS, in order to impress upon our people as well as the rest of the free world the significance of the Pacific War Memorial, it is fitting and proper that the dedication and turnover be observed with appropriate ceremonies;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to formulate plans and devise ways and means for the successful execution of such appropriate ceremonies for the dedication and turnover of the Pacific War Memorial, composed of the following:

Undersecretary Manuel Q. Salientes	Chairman
Undersecretary Manuel B. Syquio	Member
Commissioner Gregorio Araneta II	Member
General Segundo P. Velasco	Member
Administrator Atilano R. Cinco	Member
Colonel Simeon C. Medalla.....	Member
Major General Ismael Lapuz (Ret.)	Member

The Committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need, and to create such sub-committees or staffs as may be necessary.

Done in the City of Manila, this 17th day of April, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 119

MODIFYING ADMINISTRATIVE ORDER NO. 132 DATED AUGUST 10, 1965, IN THE CASE OF
MR. LEONARDO C. GUTIERREZ, PROVINCIAL TREASURER OF BATANGAS.

Under Administrative Order No. 132 dated August 10, 1965, Mr. Leonardo C. Gutierrez, provincial treasurer of Batangas, was ordered transferred to another province of a lower class for misconduct in office and conduct prejudicial to the best interest of the service. Upon a request for reconsideration, the Secretary of Finance recommends modification of the decision, considering the explanation of the respondent and the fact that he is nearing the automatic and compulsory retirement age.

WHEREFORE, and as recommended, Administrative Order No. 132 dated August 10, 1965, is hereby modified in the sense that Mr. Gutierrez shall be transferred to another province of the same class as Batangas or to a First Class-A city.

Done in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 120
AMENDING ADMINISTRATIVE ORDER NO. 117 DATED APRIL 14, 1968, CREATING A
NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION OF PHILIPPINE
INDEPENDENCE DAY ON JUNE 12, 1968.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, hereby amend Executive Order No. 117, dated April 14, 1968, creating a National Committee to take charge of the celebration of Philippine Independence day on June 12, 1968, to include the following as members of the said committee:

The Assistant Executive Secretary for Local Governments.
The Director, National Museum
The Chairman, Philippine Historical Commission
The Vice-Chairman, National Parks Development Committee.

Done in the City of Manila, this 6th day of May, in the year of Our Lord nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO, JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 121
CREATING THE MANILA INTERNATIONAL AIRPORT PROJECT EVALUATION
COMMITTEE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the MIA (Manila International Airport) Project Evaluation Committee composed of the following:

Mr. Federico Ablan	
Assistant Director of Civil Aviation Civil	
Aeronautics Administration.....	Chairman
Mr. Alfredo Kagawan	
Consultant, Transportation & Communications	
Presidential Economic Staff.....	Member
Mr. Jesus de Leon	
Assistant Chief Project Evaluator Office of Foreign Aid Coordination	
National Economic Council	Member
Mr. Gerardo Ramirez	
Acting Chief, Airports Division Civil	
Aeronautics Administration.....	Member
Atty. Fernando	
Gose Senior Legal Officer Legal & Policy Research Office	
Presidential Economic Staff.....	Member-Secretary

The Committee shall review the qualifications of architectural-engineering consulting firms or joint ventures thereof making a feasibility study for the improvement, expansion, conversion and/or construction of the Manila International Airport to meet domestic and international aviation requirements through the years 1975, 1980 and 1985.

The Committee shall also require the pre-qualified firms to submit technical proposals for final selection of the Contractor.

The "A.I.D. Capital Projects Guidelines-Borrower Procurement of Goods and Services of United States Source and Origin" shall be followed accordingly.

The Committee shall meet upon call of the Chairman, as its business calendar may require, and shall submit its reports to the President.

Done in the City of Manila, this 14th day of May, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 122

DIRECTING ALL DEPARTMENTS, BUREAUS, COMMISSIONS, OFFICES AND OTHER AGENCIES AND INSTRUMENTALITIES OF THE GOVERNMENT, INCLUDING ALL LOCAL GOVERNMENTS AND FINANCIAL INSTITUTIONS AND CORPORATIONS OWNED OR CONTROLLED BY THE GOVERNMENT, TO HELP ENSURE THE IMPLEMENTATION OF THE FIRST AND SUBSEQUENT INVESTMENTS PRIORITIES PLANS AND AMENDMENTS THERETO UNDER THE INVESTMENT INCENTIVES ACT.

1. All departments, bureaus, commissions, offices and other agencies and instrumentalities of the government, including all local governments and financial institutions and corporations owned or controlled by the government, are hereby directed to extend the maximum cooperation and assistance to the Board of Investments and other government agencies involved in the implementation of the Investment Incentives Act in order to ensure the implementation of the first and subsequent Investments Priorities Plans, and amendments thereto, in a synchronized and integrated manner. No government body shall adopt any policy or take any course of action contrary to or inconsistent with said Plans.

2. The above government offices, agencies and instrumentalities and all officers and employees thereof are particularly enjoined to observe punctiliously the following provisions of the Investment Incentives Act and the Rules and Regulations issued by the Board of Investments:

“Protection from Government Competition.—No agency or instrumentality of the government shall import, or allow the importation tax and duty free of products of items that are being produced or manufactured by registered enterprises, except when the President determines that the national interest so requires or when international commitments require international competitive bidding. [Republic Act 5186, Section 7(j)]

“Nothing in this Section shall be construed to exclude any non-registered enterprises from freely engaging, within existing constitutional and statutory limitations, and without enjoying the incentives benefits provided in this Act, in any line of economic activity or endeavor that has been declared a preferred area of investment: *Provided*, That a non-Philippine National may engage, without incentives, in preferred areas of investment where Philippine Nationals are already engaged only after three (3) years from the date of declaration of the area as preferred if the measured capacity has not been filled within the said period, except where such non-Philippine National shall engage, without incentives, in the manufacture of finished products primarily for export. The Board shall fix the percentage of production that must be exported by a non-Philippine National in order to be deemed to be engaged in manufacture primarily for export, which percentage shall not be less than seventy per cent (70%) of its total production. (Ibid., Section 20, 3rd paragraph)

“Within the three-year waiting period prescribed in the third paragraph of Section 20 of the Act, no non-Philippine National shall enter into and engage in a preferred non-pioneer area of investment,

even without incentives, in the absence of a certificate issued by the Board stating that no Philippine national is already engaged therein; or if there be any Philippine national so engaged, a certificate that the said non-Philippine national shall engage in the manufacture of finished products primarily for export. To be deemed engaged in manufacture primarily for export, a non-Philippine national must export no less than seventy per cent of its “total production.” (BOI Basic Rules and Regulations, Rule XII, Section 1)

3. Under Section 16(d) of the Investment Incentives Act, the Board of Investments is authorized—

“After due hearing, (to) decide controversies concerning the implementation of this Act they may arise between registered enterprises or investors therein and government agencies . . . : *Provided*, That the investor or the registered enterprise may appeal from the decision of the Board within fifteen (15) days from receipt thereof to the Court of First Instance . . . ”

Under the foregoing provision, the decisions of the Board of Investments on the matters referred to are binding and conclusive upon government agencies without recourse to the courts. In line therewith, all government agencies are enjoined to recognize the jurisdiction of the Board of Investments over controversies concerning the implementation of the Investment Incentives Act and abide by its decisions.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Presidential Museum and Library**

Marcos, F. E. (1968). Administrative Order No. 122: Directing all departments, bureaus, commissions, offices and other agencies and instrumentalities of the government, including all local governments and financial institutions and corporations owned or controlled by the government, to help ensure the implementation of the first and subsequent Investments Priorities Plans and amendments thereto under the Investment Incentives Act. *Official Gazette of the Republic of the Philippines*, 64(26), 6470-6471.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 123

**PRESCRIBING AN EXPEDITIOUS MODE FOR THE GOVERNMENT TO DETERMINE AND
UNDERTAKE AUTHORIZED PUBLIC WORKS PROJECTS REQUIRED BY REGISTERED
ENTERPRISES IN THEIR OPERATIONS WITHIN PREFERRED AREAS OF INVESTMENT.**

1. To insure the effective implementation of the recently approved Investments Priorities Plan, it is imperative that the Government undertake such public works projects as are necessary to make feasible business operations of registered enterprises within the preferred areas of investment.

2. Accordingly, upon the registration of any enterprise in a preferred area of investment, the Board of Investments shall designate the specific supporting public works projects required by said enterprise in its preferred operations and give notice thereof to the Department of Public Works and Communications. Thereupon, the latter shall undertake said public works projects to the full extent authorized by law and submit monthly progress reports thereon to the President. If any such project cannot be undertaken, the Department of Public Works and Communications shall report the same to the President with a statement of the reasons for its inability to do the project. The DPWC shall furnish the Board of Investments with a copy of every report to be submitted by it to the President.

3. The Budget Commissioner shall give preference to the release of funds necessary for the above purposes. If funds cannot be released, the Budget Commissioner shall report the same to the President with a statement of the reasons therefor and shall send copies thereof to the Department of Public Works and Communications and the Board of Investments.

4. In preparing public works bills to be submitted to Congress, the Department of Public Works and Communications and the Budget Commission shall, in consultation with the Board of Investments, include therein the public works projects necessary to make business operations in preferred areas feasible.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 124

DIRECTING THE GOVERNMENT SERVICE INSURANCE SYSTEM AND THE SOCIAL SECURITY SYSTEM TO OBSERVE AND IMPLEMENT THE PROVISIONS OF SECTION TWELVE OF THE INVESTMENT INCENTIVES ACT.

1. The Government Service Insurance System (GSIS) and the Social Security System (SSS) are hereby directed to observe and implement Section 12 of Republic Act 5186, otherwise known as the Investment Incentives Act, to wit:

Sec. 12. Loans for Investment.—The Government Service Insurance System and the Social Security System shall extend to their respective members five-year loans at a rate of interest not to exceed six per cent per annum for the purchase of shares of stock in any registered enterprise: Provided, That (1) the shares so purchased shall be deposited in escrow with the lending institution for the full five-year term of the loan; partial releases of the shares shall, however, be allowed to the extent of the payment of amortization made therefor; (2) such loans shall be amortized in sixty equal monthly installments which shall be withheld by the employer from the monthly salary of the employee concerned and remitted to the lending institution by the employer; but any and all dividends corned by shares of stock while they are held in escrow shall be delivered to the employee; and (3) the maximum loan available to each employee in any one calendar year shall not exceed fifty per centum of the employee's annual gross income: Provided, further, That the total investment of the government financial institution concerned, consisting of its direct investment in the registered enterprise and the loans it has extended to its respective members which have been invested by the members in a registered enterprise, shall not be more than forty-nine per cent (49%) of the total capitalization of the registered enterprise in which the investments have been made.

2. In line with the foregoing, the GSIS and SSS shall:

- (a) Immediately promulgate necessary rules and regulations for the grant of five-year loans to their members;
- (b) Set aside annually or semi-annually the funds available for the above purpose and give written advice thereof to the Office of the President and the Board of Investments;
- (c) Give written notice to their members of the availability of such loans; and

(d) Submit to the President within the months of January and July of every year semi-annual reports on loans granted for the above-purpose, and furnish a copy thereof to the Board of Investments.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 125

**DIRECTING ALL GOVERNMENT FINANCIAL INSTITUTIONS TO OBSERVE AND
IMPLEMENT SECTION TEN OF THE INVESTMENT INCENTIVES ACT AND CREATING A
COORDINATING COMMITTEE IN FURTHERANCE THEREOF.**

1. All government financial institutions now engaged or hereafter to be engaged in financing or investment operations are hereby directed to observe and implement Section 10 of Republic Act 5186, otherwise known as the Investment Incentives Act, to wit:

“Sec 10. Preference in Grant of Government Loans. --

Government financial institutions such as the Development Bank of the Philippines, Philippine National Bank, Government Service Insurance System, Social Security System, Land Bank, and such other government institutions as are now engaged or may hereafter engage in financing or investment operations shall, in accordance with and to the extent allowed by the enabling provisions of their respective charters or applicable laws, accord high priority to applications for financial assistance submitted by pioneer and other registered enterprises, whether such financial assistance be in the form of equity participation in preferred, common, or preferred convertible shares of stock, or in loans and guarantees, and shall facilitate the processing thereof and the release of the funds therefor. However, no financial assistance shall be extended under this section to any investor or enterprise that is not a Philippine National.

“The above-mentioned financial institutions, to the extent allowed by their respective charters or applicable laws, shall contribute to the capital of a registered enterprise whenever the said contribution would enable the formation of a pioneer or other registered enterprise with at least sixty per cent control by Philippine Nationals: Provided, That the capital contribution of the said financial institutions shall be limited to the amount that cannot be contributed by private Filipino investors, and shall in no case exceed thirty per cent of the total capitalization of the pioneer or other registered enterprises. The shares representing the contribution of the said financial institutions shall be offered for public sale to Philippine Nationals through all the members of a registered Philippine stock exchange.

“To facilitate the implementation of the provisions of this Section, all the said financial institutions shall coordinate their financial assistance programs with each other, exchange relevant information about applicants and applications, and submit a monthly report to the Board showing the amount of funds available for financial assistance to pioneer or other registered enterprises. The Board shall recommend to the Board of Directors of each such financial institution what

order of priority shall be given the applications of pioneer and other registered enterprises, or of applicants that propose to seek registration as such.”

2. In line with the foregoing, a Coordinating Committee hereby created which shall be headed by a Governor of the Board of Investments to be designated by the Chairman thereof, and whose members shall be the representatives of the Development Bank of the Philippines, Philippine National Bank, Government Service Insurance System, Social Security System, Land Bank, Philippine Veterans Bank and other government financial institutions. Every such representative shall be designated by the Board Chairman or President of the government financial institution concerned from among its ranking executive officers above the level of department head.

3. The Committee herein created shall hold regular weekly meetings and such special meetings as may be necessary to -

(a) Draft a synchronized program for granting financial assistance to enterprises registered or applying for registration under the Investment Incentives Act, formulate necessary rules for the implementation thereof, and submit said program and rules to the governing boards of government financial institutions for their adoption;

(b) Serve as a forum for the exchange of relevant information particularly about applicants, applications for financial assistance, and funds available therefor; and

(c) Devise ways and means to expedite the processing and approval of the above applications.

4. The prescribed report indicating the amount of funds available for assistance to enterprises registered or applying for registration under the Investment Incentives Act shall be submitted by each government financial institution to the Board of Investments within the first ten (10) days of every month, and a copy thereof shall be sent to the President.

5. The order of priority determined by the Board of Investments for the grant of financial assistance to qualified enterprises shall be observed by government financial institutions unless there be cogent reasons requiring its non-observance, in which case written advice of such action and the reasons therefor shall be given to the Board of Investments by the government financial institution concerned, and a copy thereof shall be sent to the Office of the President.

6. Each of the government financial institutions mentioned above shall submit to the President within the months of January and July of every year semi-annual reports on: (a) the financial assistance extended by it to enterprises registered or seeking registration under the Investment Incentives Act, specifying the kinds thereof and amounts actually released; and (b) the status or condition of the loan accounts of said enterprises. The Board of Investments shall be furnished with a copy of every such report.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 126

DIRECTING THE BUREAU OF IMMIGRATION, DEPARTMENT OF FOREIGN AFFAIRS,
DEPARTMENT OF LABOR AND BOARD OF INVESTMENTS TO FORMULATE A WORKING
ARRANGEMENT IN ORDER TO HAVE A COORDINATED AND SYNCHRONIZED
IMPLEMENTATION OF CERTAIN PROVISIONS OF REPUBLIC ACT 5186, OTHERWISE
KNOWN AS THE INVESTMENT INCENTIVES ACT.

1. The Bureau of Immigration, Department of Foreign Affairs, Department of Labor and Board of Investments are hereby directed to consult with each other and collaborate closely to facilitate the implementation of the following provisions of the Investment Incentives Act:

“Sec. 7. Incentives to a Registered Enterprise.-- A registered enterprise to the extent engaged in a preferred area of investment, shall be granted the following incentive benefits:

X X X X

“(g) Employment of Foreign Nationals.-- Subject to the provisions of Section twenty-nine of Commonwealth Act Numbered Six hundred thirteen, as amended, an enterprise may, within five years from registration, employ foreign nationals in supervisory, technical or advisory positions not in excess of five per centum of its total personnel in each such category: Provided That in no case shall each employment exceed five years. The employment of foreign nationals after five years from registration, or within such five years but in excess of the proportion herein provided, shall be governed by Section twenty of Commonwealth Act Numbered Six hundred thirteen, as amended.

“Foreign nationals under employment contract within the purview of this Act, their spouse and unmarried children under twenty-one years of age, who are not excluded by Section twenty-nine of Commonwealth Act Numbered Six hundred thirteen, shall be permitted to enter and reside in the Philippines during the period of employment of such foreign nationals.

“A registered enterprise shall train Filipinos in administrative, supervisory, and technical skills and shall submit annual reports on such training to the Board of Investments.

“Sec. 8. Incentives to a Pioneer Enterprise.-- In addition to the incentives provided in the preceding section, pioneer enterprises shall be granted the following incentives benefits:

X X X X

“(b) Employment of Foreign Nationals.-- Subject to the provisions of Section twenty-nine of Commonwealth Act Numbered Six hundred thirteen, as amended, to employ and bring into the Philippines foreign nationals under the following conditions:

“(1) That all such foreign nationals shall register with the Board;

“(2) That the employment of all foreign nationals shall cease and they shall be repatriated five years after the registered enterprise has begun operating: Provided, That when the majority of the capital stock of the pioneer enterprise is owned by foreign investors, the positions of president, treasurer, and general manager, or their equivalents, may be retained by foreign nationals. In exceptional cases, the Board may allow employment of foreign nationals in other positions that cannot be filled by Philippine nationals, but in such cases the limitations of Section seven paragraph (g) of this Act shall apply.

“Foreign nationals under employment contract within the purview of this Act, their spouse and unmarried children under twenty-one years of age, who are not excluded by Section twenty-nine of Commonwealth Act Numbered Six hundred thirteen, shall be permitted to enter and reside in the Philippines during the period of employment of such foreign nationals.”

2. In furtherance of the foregoing, the offices mentioned above shall designate responsible representatives to constitute a working group which shall –

(a) Devise a feasible liaison arrangement between said offices;

(b) Serve as the agency for speedy consultation on matters of common concern; and

(c) Draft and propose a simplified and expeditious procedure for the screening, documentation, supervision and termination of stay in the Philippines of foreign nationals employed in pursuance of the above-quoted provisions of the investment Incentives Act.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 127

DIRECTING THE BUREAU OF INTERNAL REVENUE TO COORDINATE WITH THE
BOARD OF INVESTMENTS IN THE IMPLEMENTATION OF THE TAX PROVISIONS OF THE
INVESTMENT INCENTIVES ACT.

1. The Bureau of Internal Revenue shall coordinate with the Board of Investments in the implementation of the tax provisions of the Investment Incentives Act.

2. In furtherance of the foregoing, the said Bureau is hereby directed to –

(a) Form a special team or division which shall handle all tax matters involving enterprises registered under the Investment Incentives Act and investors therein; and compile statistical and other tax data on said enterprises and investors. The tax files of registered enterprises shall be kept separately.

(b) Create a liaison group composed of ranking officials of the Bureau, including the head of the above special team, to facilitate consultation and exchange of relevant documents and information between the Bureau and the Board of Investments.

(c) Submit to the Board of Investments on or before July 15 of every year an assessment of the internal tax impact of the operation of the Investment Incentives Act and its recommendations, including legislative proposals, relative thereto.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 128
DIRECTING THE BUREAU OF CUSTOMS TO COORDINATE WITH THE BOARD
OF INVESTMENTS IN THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE
INVESTMENT INCENTIVES ACT.

1. The Bureau of Customs shall coordinate with the Board of Investments in the implementation of the Investment Incentives Act, particularly Section 7, paragraphs (d), (e), (i) and (j); Section 8, paragraphs (a) and (c); and Section 9, paragraph (c).

2. In furtherance of the foregoing, the said Bureau is hereby directed to –

(a) Form a special team of examiners to be headed by a ranking Customs official which shall preferentially process all tax-exempt importations of registered enterprises under Sections 7 (d) and 8 (a) of the Investment Incentives Act, to the exclusion of all other Customs examiners; and compile statistical data on such importations. The import documents and other papers covering tax-exempt importations of registered enterprises shall be filed separately.

(b) Create a liaison group composed of ranking officials of the Bureau, of which the head of the above special team shall be a member, to facilitate consultation and exchange of relevant documents and information between the Bureau and the Board of Investments.

(c) Submit to the Board of Investments on or before July 15 of every year an assessment of the effect on customs collections of the operation of the Investment Incentives Act and its recommendations, including legislative proposals, relative thereto.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 129
CREATING A POLICY ADVISORY PANEL ON THE PHILIPPINE CLAIM TO NORTH BORNEO
AND DESIGNATING THE MEMBERS THEREOF

WHEREAS, on 24 April 1962, the House of Representatives of the Congress of the Philippines unanimously adopted a Resolution urging “the President of the Philippines to take the necessary steps consistent with international law and procedure for the recovery of a certain portion of the Island of Borneo and adjacent islands which appertain to the Philippines;

WHEREAS, the Malaysian Government as successor of the British Government in the administration of the areas sought to be recovered by the Philippines has agreed to meet with representatives of the Philippine Government to resolve this question in accordance with the Manila Accord of 31 July 1963, and other subsequent related agreements; and,

WHEREAS, the effective prosecution of the claim to North Borneo requires the advice and assistance of experts:

NOW, THEREFORE, I, FERDINAND E. MARCOS, by virtue of the powers vested in me by the Constitution of the Philippines do hereby create a Policy Advisory Panel on the Philippine Claim to Borneo, composed of the following:

Chairman:

1. Secretary Claudio Teehankee, Department of Justice

Members:

2. Senator Jose Roy, Chairman, Senate Committee of Foreign Relations
3. Congressman Manuel
3. Congressman Manuel Enverga, Chairman. House Committee on Foreign Affairs
4. Senator Emmanuel Pelaez
5. Senator Jovito Salonga
6. Congressman Salipada Pendatun
7. Congressman Salih Ututalum
8. Former Associate Justice Roberto Regala
9. Ambassador Salvador P. Lopez
10. Ambassador Leon M. Guerrero
11. Ambassador Yusup Abubakar
12. Professor Cesar Majul, University of the Philippines
13. General Ismael Lapuz

Secretary:

14. Mr. Pacifico Castro, Officer-in-Charge, North Borneo Research Group, Department of Foreign Affairs

The Policy Advisory Panel shall advise the President, the Secretary of Foreign Affairs and such representatives of the Philippine Government who may be appointed to negotiate or prosecute the Philippine claim to North Borneo.

Done in the City of Manila, this 7th day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 130
CREATING THE TELECOMMUNICATIONS DEVELOPMENT BOARD.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the Telecommunications Development Board composed of:

The Undersecretary of Transportation and Communications.....	Chairman
The Director of Telecommunications	Vice Chairman
An Official of a Private Telecommunications Company to be appointed by the President	Member
The General Manager, Philippine Broadcasting Service.....	Member
The Chief Signal Officer, AFP	Member
The Chief, Radio Control Office	Member

The Board shall appoint its regular secretary and other essential personnel who shall take charge of its minutes, records and other services.

The Board is hereby empowered:

1. To study, plan, coordinate and integrate the existing facilities and various development programs of the public and private sectors pertaining to telecommunications or otherwise accelerate the improvement and expansion of these telecommunications service to keep up with the needs of the country;
2. To extend technical assistance to as well as harmonize national plans with government banking institutions insofar as these plans pertain to and/or affect the overall telecommunication expansion and improvement projects of the country;
3. To invite all offices and/or persons that may be affected by its work to meetings of the Board and/or its Committee;
4. To seek for and require compliance of its invitations or requests by the different offices of persons, government and private, whose services may be needed by the Board, subject to the provisions of existing laws on the matter;
5. To do everything necessary and expedient for the early completion of the objectives of this Order, as well as its faithful implementation; and
6. To submit monthly progress reports to the President.

Done in the City of Manila, this 18th day of June, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 131
EXONERATING MR. PERFECTO FAYPON, FORMERLY OF THE PHILIPPINE VIRGINIA
TOBACCO ADMINISTRATION.

This is an administrative case against Mr. Perfecto Faypon, former member, Board of Directors, Philippine Virginia Tobacco Administration (PVTa), based on the following charges:

1. That in 1960 and 1961, while a member of the Board of Directors of the PVTa, a government entity having official transactions with Harry Stonehill, respondent received from the latter a monthly salary of ₱1,000 aside from other amounts in the total sum of ₱71,500; and
2. That respondent conspired with the chairman and some members of the Board, the general manager and assistant general manager of the PVTa to grant undue favors and concessions to the Philippine Tobacco Flue-Curing & Redrying Corporation (PTFCRC) and the U.S. Tobacco Corporation, both Stonehill enterprises having transactions with the PVTa.

A formal investigation was conducted and evidence was adduced in support of and in defense against the charges.

Anent the first charge, the prosecution relied mainly on the notorious “blue book” (Exh. “U”) which showed the name of respondent and entries from April 11, 1960, to May 10, 1961, of different sums of money opposite various dates amounting to the total sum of ₱31,500. As to the two amounts of ₱10,000 and ₱30,000 where no date appears in the book, an attempt was made to correlate said sums with scribbles on a memorandum pad (Exh. “V” and “V-1”) by Stonehill containing the words “difference is loss,” “8,000 kilos,” “other new appointees” and “15,000 clinch contract.” It was noted that the word “clinch” is not in the past tense, which tended to show that at the time of the writing, the contract was still to be executed and the amounts to be given later.

Concerning the second charge, the evidence in support thereof consists principally of resolutions passed by the PVTa Board of Directors, management contracts between the PVTa and the PTFCRC and other redrying corporations, writings and notes of Stonehill and Edmund Dayan of the PTFCRC, the same “blue book” and other documents. These documents, all together, were relied upon to prove that the PVTa gave undue concessions to the PTFCRC.

After a careful consideration and evaluation of the records, this Office is inclined to believe that the evidence submitted to support the charges does not meet the standard required for a finding of guilt. The entries in the “blue book,” standing alone as they do, cannot sustain the conclusion that what is indicated therein is true.

Moreover, the probative value of said entries is obviously doubtful, partaking as they do of hearsay evidence. Scribbles, notes and other alleged writings of Stonehill, taken together with some PVTa records such as resolutions of the Board, are not enough from which to infer that respondent acted to the prejudice of the Government by favoring the PTFCRC. Any action of the Board which tended to favor the PTFCRC to the prejudice of the Government could not be blamed wholly on

respondent, constituting as it did the collective action of the Board and therefore cannot be attributed to any single member thereof nor to the latter's influence or pressure.

In fine, the evidence against the respondent cannot serve as sufficient basis for conviction, the same being essentially conjectural and speculative, not to mention of doubtful competency.

In view of the foregoing, Mr. Perfecto Faypon, former Director of the Philippine Virginia Tobacco Administration, is hereby exonerated from the charges against him.

Done in the City of Manila, this 10th day of July, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 132
CREATING THE INTER-AGENCY COMMITTEE ON THE ADMINISTRATION OF
AGRICULTURAL COMMODITIES AGREEMENTS.

WHEREAS, in the administration of agricultural commodities agreements with the United States of America, the Philippine Government regularly encounters problems involving both the different government agencies and the private sector;

WHEREAS, there is a need for a specific Committee to coordinate and consult with government agencies and the private sector to ensure that the policies and practices adopted will facilitate the implementation of agricultural commodities agreements;

WHEREAS, there is likewise a need for an appropriate Committee to remedy the problems in policies and practices and to take specific measures to comply with the provisions of agricultural commodities agreements;

NOW, THEREFORE, I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Inter-Agency Committee on the Administration of Agricultural Commodities Agreements which shall serve as the government body responsible for attending to all matters pertaining to agricultural commodities agreements in consultation with other government agencies and the private business sectors concerned, and recommending to the President such other policies affecting current and future agricultural commodities agreements.

The Inter-Agency Committee on the Administration of Agricultural Commodities Agreements shall be composed of a Chairman from the National Economic Council, and a representative each from the Central Bank of the Philippines, the Development Bank of the Philippines, the Department of Foreign Affairs, the Board of Industries, the Presidential Economic Staff, and such other offices which the Committee may from time to time require, to be designated by the respective office heads.

The Inter-Agency Committee is hereby authorized to call upon any officer or employee of any department, bureau or agency of the Government as may be needed to assist the Inter-Agency Committee in the proper discharge of its functions.

Done in the City of Manila, this 19th day of July, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 133
AMENDING ADMINISTRATIVE ORDER NO. 118 DATED APRIL 17, 1968, CREATING
A COMMITTEE TO TAKE CHARGE OF THE TURNOVER BY THE UNITED STATES
GOVERNMENT TO THE PHILIPPINE GOVERNMENT OF THE PACIFIC WAR MEMORIALS
ON CORREGIDOR ISLAND.

The composition of the Committee created under Administrative Order No. 118 dated April 17, 1968, to take charge of the turnover of the Pacific War Memorial on Corregidor Island is hereby amended to read as follows:

“Undersecretary Manuel Q. Salientes.....	Chairman
Undersecretary Manuel B. Syquio	Member
Commissioner Gregorio Araneta II	Member
General Manuel T. Yan.....	Member
Administrator Atilano R. Cinco	Member
Colonel Simeon C. Medalla.....	Member
Major General Ismael Lapuz (Ret.).....	Member”

Done in the City of Manila, this 23rd day of July, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 134

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 93, DATED MAY 5, 1964,
AS AMENDED BY ADMINISTRATIVE ORDER NO. 16, DATED AUGUST 8, 1966,
ADMINISTRATIVE ORDER NO. 95, DATED NOVEMBER 27, 1967, AND ADMINISTRATIVE
ORDER NO. 103, DATED JANUARY 5, 1968.

The Presidential School Building Committee created under Administrative Order No. 93 dated May 5, 1964, as amended by Administrative Order No. 16 dated August 8, 1966, Administrative Order No. 95 dated November 27, 1967, and Administrative Order No. 103 dated January 5, 1968, shall have an Executive Officer to supervise the fabrication, distribution and erection of Marcos and Army type school building units, which Executive Officer shall be the Director of Public Works.

The Presidential School Building Committee shall function under the supervision of the Executive Committee for Infrastructure Programs created under Executive Order No. 114-A, Series of 1968.

Done in the City of Manila, this 23rd day of July, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 135

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 37 DATED MARCH 13, 1967,
AS AMENDED BY ADMINISTRATIVE ORDER NO. 58 DATED MAY 28, 1967, ENTITLED
“CREATING THE UPPER PAMPANGA RIVER PROJECT COORDINATING COMMITTEE.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby further amend Administrative Order No. 37 dated March 13, 1967, as amended by Administrative Order No. 58 dated May 28, 1967, creating the Upper Pampanga River Project Coordinating Committee, by designating the following additional member of the Committee:

“A Representative of the Rice and Corn Production Coordinating Council Member”

Done in the City of Manila, this 1st day of August, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 136
**CREATING THE COUNTERPART STAFF REQUIRED FOR THE EXECUTION OF THE UNDP-
SPONSORED PHILIPPINE TRANSPORT SURVEY.**

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Counterpart Staff to the consulting firm that will be designated by the United Nations Development Programme and the International Bank for Reconstruction and Development to undertake the transport survey of the Philippines, composed of the following:

Director of Studies	– Sec. Alejandro Melchor, P.E.S.
Executive Assistants to the Director of Studies	– Mr. Antonio Locsin, P.E.S.
	– Mr. Carlos Leano, I.O.R.
General Economist	– Mr. Octavio Espiritu, P.E.S.
Transport Economist	– Mr. Alfredo Kagawan, P.E.S.
Industrial Economist	– Maj. Andres Manipula, D.N.D.
Agricultural Economist	– Mr. Cayetano Sarmago, P.E.S.
Shipping Expert	– Mr. Vicente Brillantes, P.E.S.
Port Engineer	– Mr. Ricardo Dantes, B.P.W.
Port Operation Expert	– Mr. Ricardo Cruz, B.P.W.
Airport Engineer	– Mr. Gerardo Ramirez, C.A.A.
Air Transport Expert	– Mr. Antonio Fenix, C.A.B.
Highway Transport Expert	– Mr. Dominador Santos, M.D.A.
	– Mr. Jose David, B.P.H.
Highway Engineers	– Mr. Romeo Mabunga, B.P.H.
Highway Organization Expert	– Miss Carmel Perfecto, P.E.S.
Railroad Expert	– Mr. Jose de Guzman, P.N.R.
Public Administration Specialist	– Miss Angelita Ofilada, P.E.S.

The functions of this Counterpart Staff are as follows:

1. To assist and coordinate the activities of the consulting firm selected by UNDP and the IBRD in order to have an expeditious implementation of the transport survey;
2. To assist the consulting firm in obtaining all available economic, traffic and technical data, including information on transport costs and revenues and on the organization, operation and accounting systems of the government agencies responsible for transport administration;
3. To provide the liaison among the appropriate organizations and government agencies and offices concerned with or affected by the project; and
4. To provide such facilities and administrative support and services that may from time to time be required by the foreign consultants, to the extent defined in the agreed Plan of Operation.

The Director of Studies is hereby empowered:

1. To call upon all offices and meet with all persons who may be affected by the work of the transport survey group;
2. To require from the various government departments bureaus and offices, as well as government-owned or controlled corporations, such administrative support and services as may be required by the transport survey group; and
3. To do everything necessary and expedient for the completion of the transport survey in accordance with the agreed schedule of activities.

Done in the City of Manila, this 27th day of August, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 137

DIRECTING THE CHIEF OF CONSTABULARY, THE PROVINCIAL GOVERNORS AND CITY/MUNICIPAL MAYORS TO ORGANIZE A PROVINCIAL STRIKE FORCE UNDER THE CONTROL, DIRECTION AND SUPERVISION OF THE CONSTABULARY PROVINCIAL COMMANDER BY POOLING TOGETHER AVAILABLE RESOURCES OF THE PHILIPPINE CONSTABULARY AND LOCAL POLICE FORCES.

1. ORGANIZATION: The Philippine Constabulary Provincial Commands shall provide the base of the Provincial Strike Force. This force base shall be augmented by available members of the local police forces who shall also serve as liaison of their respective departments to the Philippine Constabulary Command in the Province. The Strike Force shall be organized on team/cellular concept, each capable of undertaking independent, fast and sustained action.
2. CAPABILITY: The Provincial Strike Force shall have the following capability:
 - a. Mobility necessary for “hot pursuit” in fast moving situation;
 - b. Ability to initially contain civil disturbances, riots, and other similar incidents;
 - c. Ability to operate against armed bands, pirates, and other organized /syndicated criminal groups;
 - d. Ability to conduct commando-type operations; and
 - e. Augment local police forces when necessary.
3. OPERATIONAL EMPLOYMENT:
 - a. The Provincial Strike Force shall serve as the immediate law-enforcement arm of the province in:
 - 1) Combating armed bands, piracy, cattle rustling, and other organized/syndicated criminal activities;
 - 2) Undertaking province-wide pursuit of criminal offenders, wanted persons, escapees and other fugitives from justice; and
 - 3) Augmenting/complimenting any local police force when and where a crime situation is beyond the capability of said police force.
 - b. It shall also serve as the nucleus of a bigger force that may be formed in emergency situations posing serious threats to the security of the province such as sedition, rebellion, or big-scale riots.

4. CONTROL AND SUPERVISION: The Provincial Strike Force shall be under the control, direction and supervision of the Provincial Commander.
5. FIELD TEST: Before implementing this Order on a nation-wide scale, the effective of said Strike Force shall be tested first in four selected provinces (one in each PC Zone) where the incidence of crime, banditry, piracy, cattle rustling and syndicated criminal activities is high. The selection of the pilot provinces shall be decided by the Chief of Constabulary. This test shall have a duration of six (6) months.
6. TOTAL IMPLEMENTATION: In the event that the aforementioned field test is successful, the Chief of Constabulary is hereby given the authority to implement this Order on a nation-wide scale.
7. MEMORANDUM OF AGREEMENT: A memorandum of agreement shall be executed by the Provincial Commander, Provincial Governor, and City/Municipal Mayors concerned defining the following:
 - a. The number of personnel that each agency shall provide the force;
 - b. The manner of providing the force with communication and transportation requirement for coordination and mobility, to include their maintenance.
 - c. The manner of providing the members of the force with their subsistence.
 - d. The areas of cooperation on police jurisdiction, operations and exchange of police information;
 - e. The system of training the members of the force; and
 - f. Other matters that are intended to eliminate any possible conflict/misunderstanding among the agencies concerned in the implementation of this Order.

Done in the City of Manila, this 30th day of August, in the year of our Lord, nineteen hundred and sixty eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 138
CREATING THE PRESIDENTIAL COMMITTEE ON FOREIGN TRADE.

WHEREAS, the important role of exports in generating badly needed foreign exchange in order to spur and sustain the growth of the national economy cannot be over-emphasized;

WHEREAS, the government structure and system for trade promotion needs updating to make it more responsive to the needs of the economy and adequate in meeting competition abroad;

WHEREAS, the public and private sectors must undertake concerted and coordinated action to promote exports; and

WHEREAS, there is a need to create an appropriate agency to plan and direct the revitalization of the foreign trade program and to recommend to the President whatever policies are necessary towards the attainment of the country's trade objectives;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Presidential Committee on Foreign Trade composed of the following:

The Secretary of Commerce and Industry	Chairman
The Secretary of Foreign Affairs	Member
The Coordinator of the National Export Coordinating Center.....	Member

Each member shall designate an alternate who shall act in his behalf during his absence in meetings of the Committee.

The Committee shall have the following functions:

1. Act as the liaison body with the President, the Congress, and the private sector with respect to matters affecting foreign trade;

2. Implement, through the departments, offices, and agencies of the government, directives and orders of the President as well as laws enacted by Congress respecting foreign trade;

3. Act as the agency in charge of promoting closer relations with the various organizations in the private sector and of conducting regular dialogue with them with a view to solving their respective foreign trade problems;

4. Formulate a Four-Year Trade Expansion Program to be submitted to the President for approval;

5. Prepare and submit annually a budget for export trade promotion and expansion and, once approved, shall be responsible for its disbursement; and

6. Undertake whatever is necessary to promote the exports of the country in accordance with existing laws and policies.

The Committee is hereby empowered to call upon any department, bureau, agency, or government-owned or controlled corporation and to form such sub-committees as may be needed to assist it in discharging its functions properly and effectively.

Done in the City of Manila, this 4th day of September, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 139
AMENDING THE COMPOSITION OF THE TELECOMMUNICATIONS DEVELOPMENT
BOARD.

The composition of the Telecommunications Development Board created under Administrative Order No. 130 dated June 18, 1968, is hereby amended to read as follows:

“The Undersecretary of Transportation and Communications.....	Chairman
The Director of Telecommunications	Member
An official of a Private Telecommunications Company to be appointed by the President	Member
The President, Philippine Chamber of Communications	Member
The General Manager, Philippine Broadcasting Service.....	Member
The Chief, Signal Officer, Armed Forces of the Philippines.....	Member
The Chief, Radio Control Officer.....	Member.”

Done in the City of Manila, this 9th day of September, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 140

**CREATING A COMMITTEE TO GATHER, COLLATE AND EVALUATE STATISTICAL DATA
AND INFORMATION FOR USE BY THE BOARD OF INVESTMENTS IN THE PREPARATION
OF THE ANNUAL INVESTMENT PRIORITIES PLAN**

WHEREAS, under Section 18 of Republic Act No. 5186, otherwise known as the Investments Incentives Act, the Board of Investments created thereunder, is required to submit to the President through the National Economic Council not later than the month of January of every year an Investments Priorities Plan which shall determine and designate certain preferred and pioneer areas of investment and their corresponding measured capacities;

WHEREAS, in the preparation of the annual investment priorities plan, it is vital that all accurate and pertinent statistical data should be made available to the Board of Investment;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create and constitute a Committee to gather, collate and evaluate statistical data and information for the use of the Board of Investments in the preparation of the annual Investment Priorities Plan.

The Committee shall be composed of the following:

A Governor of the Board of Investments to be designated by the Chairman Chairman

A representative each from the following offices to be designated by the respective heads thereof as members, to wit:

1. Bureau of Census and Statistics
2. Department of Economic Research, Central Bank of the Philippines
3. Labor Statistics Service, Department of Labor
4. Bureau of Agricultural Economics
5. Statistical Center, University of the Philippines
6. Bureau of Mines
7. Fisheries Commission
8. Department of Commerce and Industry
9. Tariff Commission
10. Presidential Economic Staff
11. Philippine National Bank
12. Development Bank of the Philippines
13. Government Service Insurance System
14. National Investment Development Corporation
15. Office of the Statistical Coordination and Standards, National Economic Council

The Committee shall be responsible for gathering, collating and evaluating all available statistical data and information from the respective offices represented in the Committee and from other sources with a view to determining the pertinence and accuracy of the said statistical data and information for the preparation of the annual Investment Priorities Plan.

All Departments, Bureaus, offices, commissions and other agencies and instrumentalities of the government are hereby directed to extend assistance to the Committee in the discharge of its function whenever such assistance shall be sought by the Committee or any of its members.

Done in the City of Manila, this 7th day of October, in the year of our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 141
CREATING A COMMITTEE ON AGRICULTURAL COOPERATIVE DEVELOPMENT.

WHEREAS, financially sound and efficiently-managed agricultural cooperatives responsive to and adequately meeting the imperative of increased production and effective marketing are vital to our economy;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create an Agricultural Cooperative Development Committee composed of the following:

Dr. Vicente U. Quintana	
Acting Director, ACCI-UP	Chairman
Mr. Alejandro R. Cuadro	
Chief, Cooperatives Division, ACA	Member
Mr. Teodoro P. Malasig	
Chief, Cooperatives Division, APC.....	Member
Atty. Clemente Terso, Jr.	
Cooperative Specialist, ADCR.....	Member
Mr. Hector A. Rivera	
Technical Assistant, DRB-CB	Member
Mr. Marciano Cosio	
Training Division, CDC, PACD.....	Member

The Committee shall have the following specific objectives:

- a) Develop a system of integrating and consolidating the members and business of existing Farmers' Cooperative Marketing Associations;
- b) Improve the quality of manpower involved in cooperative development activities;
- c) Develop effective cooperative methods of procurement and distribution of agricultural inputs, including equipment and the marketing of farmers' produce;
- d) Devise a financing scheme that will provide adequate and timely credit to cooperatives and their farmer-members; and
- e) Provide adequate management counselling, effective supervision and guidance to agricultural cooperatives.

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 9th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 142
ADMONISHING ACTING DIRECTOR SERAFIN L. QUIASON OF THE NATIONAL LIBRARY.

This refers to the administrative charges against Acting Director Serafin D. Quiason of the National Library filed separately by Atty. Samy Y. Militante, a private citizen, and Mrs. Constanca de Jesus and 34 other officials and employees of the National Library. The charges have been grouped together for convenience and to obviate needless repetition as follows: (1) violation of the Civil Service law and regulations, misrepresentation and falsification; (2) improper conduct, oppression and incompetence, and violation of the Anti-Graft Act; and (3) illegal, precipitate and disadvantageous purchases of books.

A formal investigation of the charges was ordered and conducted where complainants and respondent, assisted by counsel, were given full opportunity to support their respective sides. In his exhaustive report the investigator from the Malacañang Legal Office found respondent guilty under certain counts of charges (1) and (2) and innocent under charge (3), and recommended that respondent be admonished. A careful review of the records and weighing of respondent's liability in the premises sustain the investigator's findings and recommendation. Only those counts where respondent is found guilty or liable need be taken up.

Charge I

(a) It is alleged that respondent illegally permitted and authorized the non-use of the bundy clock by Manuel Portugal, his stenographer, despite disapproval by the Civil Service Commission (CSC) of his request to exempt Portugal from punching the bundy clock.

The evidence shows that from July 1966 to May 1967 Portugal used Form 48 for recording his attendance instead of the bundy clock which he used for part of the month of September 1966. Respondent would justify the non-use of the bundy clock by the fact that the nature of Portugal's additional duties as liaison officer, following up papers in other offices, made it impracticable for him to be in the office just to punch the bundy clock to record his arrival and departure. Respondent claims that under the Civil Service rules the use of the bundy clock is required whenever practicable (Sec. 4, Rule XV, Civil Service Rules). His explanation appears plausible as to the time covered before the denial by CSC of his request for exemption in behalf of Portugal. Upon such denial by the Commission on October 27, 1967, he was supposed to be bound thereby and should not have allowed Portugal to continue using Form 48. It hardly avails him that, as testified to by Portugal, they were told by people in the Department of Education that the use or non-use of the bundy clock was a matter of internal arrangement as allegedly confirmed by a certain Mr. Valdez from CSC during a seminar. The officials referred to were obviously not competent to overrule the CSC.

(b) In connection with the charge on the alleged irregular appointment of Jose Rizal San Diego to the position of Shrine Guide, it was shown during the investigation that the position of Shrine Guide was reclassified or classified on January 27, 1967 (Exh. WW-I-De Jesus). However, as early as

January 16, 1967, respondent wrote to the Secretary of Education that it was a “newly reclassified . . . position” (Exh. U-De Jesus) and certified to the Commissioner of Civil Service that the position to which San Diego was proposed for appointment “has been classified by WAPCO as Shrine Guide” (Exh. V-De Jesus), albeit his request for reclassification had been made earlier, or on January 13, 1967 (Exh. WW-De Jesus). It was also shown that the request for reclassification, though supposed to be coursed through the Department of Education pursuant to practice and regulations, was never received in the Department.

Counsel for complaining Library personnel claim in their memorandum that respondent was guilty of falsification and quote Article 171, paragraph 4 (“Making untruthful statements in a narration of facts”), of the Revised Penal Code. It is to be observed that this was not included in the charges against respondent. However, that does not preclude finding him guilty of falsification of the nature provided in the cited article of the Revised Penal Code if duly proven or established and respondent was given opportunity to refute the same, since an administrative investigation is a fact-finding one and any evidence adduced during the proceedings tending to prove the commission of any offense may be taken into account in the disposal of the case.

There are, however, certain requisites that should be established before one may be adjudged guilty of falsification under the cited article of the Revised Penal Code. Such a finding may not be predicated alone on the fact that there was a divergence between what was the true fact and what it was stated to be. One of the essential elements is that the act be committed with a criminal intent (Francisco, Revised Penal Code, Book 2, 3rd ed. p. 260). From the evidence presented, I agree with the investigator that said element has not been duly established. This matter appears to be the subject of a pending criminal complaint for falsification against respondent and San Diego in the Manila City Fiscal’s office where both sides can squarely litigate the issue. As above observed, this was not one of the charges against respondent. However, it is undeniable that there was an erroneous or false statement of fact in subject official communications of respondent for which he should be held liable administratively.

(c) Regarding the charge that respondent made appointments of casual or emergency employees without the approval of the higher authorities concerned, it has been established that a certain casual, Zenaida Revadabia, who belonged to the unclassified service, was assigned by respondent to perform some duties along clerical lines in the classified service. This is forbidden under Section 24(f) of the Civil Service Law. It is to be noted, however, that said casual had never performed manual duties since her original appointment in 1963 before the incumbency of respondent. In other words, respondent may be said to have merely continued and tolerated the practice under his predecessors which, of course, constitutes no legal excuse.

Charge II

Three complainants-personnel of the National Library testified to some derogatory remarks supposedly uttered by the respondent on different occasions affecting the integrity, honesty and morality of certain government officials, past and present. The details thereof do not bear repeating, lest we dignify gossips or idle talk, there being nothing to show that the things attributed to respondent to have said were duly borne out by official investigation or record. These witnesses, while they may have every reason to be prejudiced against respondent, for being complainants, testified in a straightforward and natural manner, the investigator observed, and their testimony abounds in details, which circumstances tend to support the charge of improper conduct.

The above acts committed by the respondent are, on the whole, not of a serious nature to warrant drastic action. The making of an erroneous or false statement of fact in official communications would, on the surface, look serious, but I am inclined to agree with the investigator that it was more of an honest anticipation on the favorable outcome of the request for reclassification as he must have been assured, which proved to be true, than a deliberate and willful act on his part to mislead the authorities concerned.

For his acts and omissions, which border on improper conduct and appear to be merely minor infractions of the Civil Service Law and rules under the attendant circumstances, Acting Director Serafin D. Quiason is hereby admonished to be more careful in the future to avoid repetition of similar occurrences.

Done in the City of Manila, this 12th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 143
SUSPENDING MR. MANUEL DEAÑO FROM OFFICE AS MUNICIPAL JUDGE OF
KAUSWAGAN, LANA DEL NORTE.

This is an administrative case filed by Sulpicio Damalerio against Municipal Judge Manuel Deaño of Kauswagan, Lanao del Norte, for neglect of duty in solemnizing the marriage of complainant's daughter, it being alleged that respondent failed to deliver a copy of the marriage contract to the contracting parties and to the local civil registrar.

Respondent admits that he solemnized the marriage of complainant's daughter, Rosalina, on March 6, 1959, but denies having failed to deliver a copy of the marriage contract to the contracting parties and to the local civil registrar. At the formal investigation conducted by the District Judge, Rosalina and her husband, Placido Villarin, testified that, after the solemnization of their marriage, they were not given a copy of the marriage contract because, according to respondent, it was not sealed, as he did not have the key to the aparador where the dry seal was kept. Rosalina and her husband also declared that they had not so far received their copy of the marriage contract. Complainant's witness, Melecio L. Cadayona, the assistant municipal treasurer of Kauswagan, stated that he received a copy of the marriage contract on February 10, 1960, only, on which date the corresponding entry was made in the marriage registry.

In his defense respondent testified that after solemnizing the marriage he furnished a copy of the marriage contract to the parties and another copy to the office of the municipal treasurer. Respondent's clerk also declared that after the marriage had been solemnized, he gave the original of the marriage contract to the husband and two copies to Ramon Lim, the employee of the local civil registrar charged with keeping the registry, who was present during the marriage rites.

Respondent, however, in his cross-examination of Placido and Rosalina Villarin did not contest their version of how they failed to receive a copy of the marriage contract. Such conduct of respondent tends to bear out the truth of their testimony. At the same time, if, as testified to by respondent's witnesses, copies of the marriage contract were delivered to Ramon Lim, the employee in charge of the registry, there would seem to be no reason why he would not then have made the corresponding entry in the registry, considering especially that he is complainant's son-in-law, as stated by respondent in his cross-examination of Melecio Cadayona, the assistant municipal treasurer.

The evidence thus clearly shows that, as charged, respondent failed to furnish a copy of the marriage contract to the contracting parties or to send another copy to the local civil registrar not later than fifteen days after the marriage, as required by Article 68 of the New Civil Code (Rep. Act No. 386). Respondent's failure to furnish a copy of the marriage contract to either Rosalina or Placido Villarin can not be justified by the fact that the documents had not been impressed with his dry seal. As provided by Section 80 of the Judiciary Act (Rep. Act No. 296), "the use of a seal of office shall not be necessary to the authentication of any paper, document or record signed by a municipal judge or emanating from his office except when he acts as notary public ex-officio."

As shown also by the evidence, a copy of the marriage contract was received by the office of the local civil registrar only on February 10, 1960, after the complaint had been referred to the District Judge and almost a year after the solemnization of the marriage. In the words of investigating Judge Hernando Pineda, this delay “was an oversight on the part of the respondent, but none the less, it amounted to negligence in the performance of his duties. This could have been avoided with a little more dedication.”

In view of the respondent’s proven neglect of duty, I believe that the investigating Judge was unduly lenient in recommending that respondent be merely “admonished to give more dedication to the office he is holding and to be more careful in the discharge of his administrative duties.” The duties neglected by respondent being clearly specified by law, his negligence cannot be excused merely because it did not affect the validity of the marriage. To overlook respondent’s omissions would be inconsistent with the importance of his office. On the contrary, his responsibility should be commensurate with the devotion to duty expected of him.

Wherefore, and upon recommendation of the Secretary of Justice, Mr. Manuel Deaño is hereby suspended from office as Municipal Judge of Kauswagan, Lanao del Norte, for one (1) month without pay, effective upon receipt of a copy of this order. He is further warned that a repetition of a similar irregularity will be dealt with more drastically.

Done in the City of Manila, this 12th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 144
CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF PANGASINAN AND ZAMBALES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of the boundary line between the provinces of Pangasinan and Zambales with a view to determining its true and correct location, composed of the following:

Director, Bureau of Coast and Geodetic Survey-----	Chairman
District Forester of Pangasinan-----	Member
District Land Officer of Pangasinan-----	Member
Highway District Engineer of Pangasinan-----	Member
District Forester of Zambales-----	Member
District Land Officer of Zambales-----	Member
Highway District Engineer of Zambales-----	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to the Provincial Boards of the two provinces involved a report of its accomplishment within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the provinces of Pangasinan and Zambales.

Done in the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 145
CREATING A COMMITTEE TO FACILITATE THE DISPOSAL AND DISSEMINATION OF
TRADE INFORMATION MATERIALS FROM FOREIGN COUNTRIES.

WHEREAS, our country is a member of the Universal Postal Union with the privilege of free exchange of written and printed materials through the regular international mail;

WHEREAS, trade information materials from foreign countries, including the member countries of the socialist bloc, are important in trade relationships; and

WHEREAS, there is a need to facilitate the collection, entry and delivery to the proper parties of said trade information materials and at the same time provide necessary measures of security against the influx of subversive propaganda;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to facilitate the disposal and dissemination of trade information materials from foreign countries, including member countries of the socialist bloc, to be composed of the following:

The Secretary of Commerce and Industry-----	Chairman
The Secretary of Public Works & Communications-----	Member
The Secretary of Foreign Affairs-----	Member
The Director, National Bureau of Investigation-----	Member

The Committee shall adopt ways and means to facilitate the collection, entry and disposal of trade information matters coming into the country from the aforementioned countries.

The Department of Commerce and Industry (DCI), through a duly accredited commercial attaché, shall communicate with the different state trading firms and relay the information obtained to the home office.

In cooperation with representatives from the Department of Foreign Affairs and the National Bureau of Investigation, the DCI shall act as a clearing house of postal matters involving trade information. This unit shall process trade information materials, carefully segregating materials with propaganda motives. The pure trade information thus selected shall then be disseminated to the different trade organizations or to the proper parties concerned for their guidance.

After ways and means have been found out to effectively thresh out propaganda “chaff” from the purely trading “grain,” the procedure of segregating materials for dissemination may be entrusted to the local trade association themselves.

Done in the City of Manila, this 17th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 146
MODIFYING ADMINISTRATIVE ORDER NO. 39 CONCERNING MR. AMANDO G. LAZARO,
MUNICIPAL JUDGE OF BALUNGAO, PANGASINAN.

By virtue of Administrative Order No. 39 dated April 30, 1967, Mr. Amando G. Lazaro was removed from office as Municipal Judge of Balungao, Pangasinan, for negligence in the performance of duties in that he failed to exercise the necessary circumspection which should characterize a judicial mind resulting in the admission of a falsified bail bond and the consequent delay in the disposition of the criminal case involved.

Respondent has sought reconsideration on the ground that he had been previously reprimanded for the same act by the former Undersecretary of Justice. The Secretary of Justice, while being of the opinion that Administrative Order No. 39 of the President cannot be contested on legal grounds, feels that the penalty of removal imposed on respondent may be moderated in view of the reprimand previously administered on him.

Wherefore, Administrative Order No. 39 dated April 30, 1967, is hereby reconsidered by modifying the penalty of removal from office imposed therein on Mr. Amando G. Lazaro to suspension from office without pay for a period of one (1) year counted from the date he was first served with a copy of the original administrative order.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **JOSE J. LEIDO, JR.**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 147
REMOVING MR. BENJAMIN M. REYES FROM OFFICE AS REGISTER OF DEEDS OF
QUEZON CITY.

This is an administrative proceeding instituted by the Secretary of Justice against Mr. Benjamin M. Reyes, Register of Deeds of Quezon City, for (a) dereliction of duty, (b) violation of reasonable office regulations, and (c) negligence in the performance of his duties, arising from the latter's administrative reconstitution of an alleged Original Certificate of Title No. 632 of the Registry of Property for the Province of Rizal, originally issued in the name of Eulalio Ragua casado con Rafaela Mercado, as registered owner, and his subsequent registration of documents pertaining to the property registered under it.

Respondent's basis for reconstituting OCT No. 632 was a letter dated January 28, 1965, of one J. Sulpicio R. Alix, who claimed to be part owner of the property covered by the certificate of title to the extent of 248 hectares pursuant to a Deed of Sale dated December 14, 1963, executed by Eulalio Ragua himself. Together with the Owner's Duplicate Certificate of Title, applicant Alix also submitted an affidavit dated January 15, 1965, wherein he declared that he had bought from Eulalio Ragua a portion of the property covered by OCT No. 632; that he had been in possession of OCT No. 632 since December 14, 1963 when it was surrendered to him by the vendor; and that he had no knowledge of any instrument presented or pending registration before the Register of Deeds of Rizal or Quezon City affecting the aforesaid property. Since the applicant J. Sulpicio R. Alix was vendee of a substantial portion of the land covered by the title, the respondent explained, Alix was, for the purpose of Section 5 of Republic Act 26 and the implementing regulations of the General Land Registration Office, now the Land Registration Commission, an assignee of the registered owner, or a person having an interest in the property legally qualified to apply for administrative reconstitution of the original certificate of title. He alleged, further, that before he acted on the application, he checked with the records of his Office and found no deed registered or pending registration affecting the property covered by OCT No. 632. The record shows that the petition for administrative reconstitution was presented to the respondent on January 29, 1965 and was approved on February 1, 1965.

Section 5 of Republic Act 26 entitled "An Act Providing a Special Procedure for the Reconstitution of Torrens Certificate of Title Lost or Destroyed" provides inter alia that –

"Petitions for reconstitution x x x may be filed x x x by the registered owner, his assigns, or other persons having an interest in the property. The petition shall be accompanied x x x with an affidavit of the registered owner stating, among other things, that no deed or other instrument affecting the property had been presented for registration, or, if there be any, the nature thereof, the date of its presentation as well as the names of the parties, and whether the registration of such deed or instrument is still pending accomplishment. x x x." (Underscoring supplied.)

Regulation No. 5 of the implementing GLRO Circular No. 17, dated February 19, 1947, directs that –

“The Register of Deeds shall not entertain any petition for administrative reconstitution, unless the same is accompanied with x x x an affidavit of the registered owner stating among other things that no deed or other instrument affecting the property had been previously presented for registration. x x x.” (Underscoring supplied.)

OCT No. 632, on its face, names Eulalio Ragua casado con Rafaela Mercado as registered owner of the property covered thereby. Section 5 of Republic Act 26 expressly directs that petitions for administrative reconstitution of lost or destroyed certificates of title shall be accompanied with an affidavit of the registered owner, while Rule No. 5 of GLRO Circular No. 17, in more peremptory language, commands Registers of Deeds not to entertain any petition for administrative reconstitution unless accompanied with the required affidavit of the registered owner. These legal mandates notwithstanding, the respondent administratively reconstituted OCT No. 632 without the affidavit of Eulalio Ragua, the registered owner.

Rule No. 8 of said GLRO Circular No. 17 also requires that before proceeding with the reconstitution, the Register of Deeds must “ascertain from his records and from the papers presented to him that the certificate of title to be reconstituted was in force at the time of its loss or destruction,” and “deny the request for the reconstitution” if he finds that the certificate of title “had already been cancelled before it was lost or destroyed.” Prior to the establishment of the Registry of Deeds for Quezon City, all certificates of title and documents pertaining to real properties located in Quezon City were kept in the Registry of Deeds at Pasig, Rizal. Knowing this fact, and to put up a semblance of compliance with said Rule No. 8 of GLRO Circular No. 17, the respondent wrote the Register of Deeds of Rizal on February 1, 1965 and asked “whether the original copy of Original Certificate of Title No. 632 of the record of your office, is available there at.” The innocent query drew from the Register of Deeds of Rizal on the same day the matter-of-fact reply that “Original Certificate of Title No. 632 is missing from the Registration Book No. A-7-A of this Registry.” Had the respondent been more precise in his letter of inquiry by stating that a petition for administrative reconstitution of OCT No. 632 was pending before him, and inquiring whether the certificate of title to be reconstituted “was in force at the time of its loss or destruction” in view of Rule 8 of GLRO Circular No. 17, he would have elicited the complete and relevant information that said OCT No. 632 had long been cancelled on August 10, 1914. Such was the reply given by the Register of Deeds of Rizal to J.M. Tuason & Co. Inc. on February 9, 1965, or only 8 days after his earlier reply to the respondent. In short, therefore, the respondent administratively reconstituted OCT No. 632 on February 1, 1965, when he ought to have denied the petition for reconstitution since the said title had already been cancelled on August 10, 1914.

GLRO Circular No. 80 (RD-53) dated November 18, 1949, further enjoins that –

“The owner’s duplicate certificate x x x presented for reconstitution purposes, should be carefully and thoroughly examined, and if found to contain errors, omissions or discrepancies x x x or to bear apparent signs or indications that it has been tampered with, or fraudulently procured, x x x or there are serious doubts as to the genuineness of such duplicate certificate, the request for administrative reconstitution should be denied, x x x.”

Although the respondent denied the existence of any erasures, alterations or defects in OCT No. 632, a cursory examination of the document shows erasures and alterations thereon plainly visible to the naked eye. The document itself is even partly mutilated. When the same document was submitted to the NBI for examination, the said document, OCT No. 632, was found “NOT AUTHENTIC.”

GLRO Circular No. 80 (RD-53) dated November 18, 1949, cited above, similarly directs that when “there are serious doubts as to the genuineness” of the certificate presented as basis for administrative reconstitution, “the request for administrative reconstitution, “should be denied, and the petitioner advised to resort to a judicial reconstitution in accordance with Section 10 of Republic Act No. 26.” The respondent admitted that when the petition of J. Sulpicio R. Alix for administrative reconstitution of OCT No. 632 was submitted to him, he knew that there was a petition for judicial reconstitution of the same OCT No. 632 pending in the Court of First Instance of Rizal, Caloocan City Branch, filed by Eulalio Ragua himself, the person named as registered owner in the certificate of title. Rather than leave to the court the matter of reconstituting said OCT No. 632 with all the safeguards prescribed by the law for judicial proceedings of that nature, the respondent ignored the pending case for judicial reconstitution and reconstituted the document on his own authority, to the extent of closing his eyes to the defects of the document that engender doubt as to its authenticity.

It appears further that upon the reconstitution of OCT No. 632, the respondent registered two deeds of absolute sale of the property covered by the said title executed by Eulalio Ragua. In the first deed of sale dated December 14, 1963, Exhibit M, Eulalio Ragua, described in the document as a widower, purportedly sold to J. Sulpicio Alix 248 hectares of the land covered by OCT No. 632. Eulalio Ragua stated in the deed of sale that he has 7 children with his deceased wife, Rafaela Mercado, and that his children had executed a document acknowledged before Notary Public Tirso Manguiat and entered in the latter’s notarial book as Document No. 24, Page 12, Book No. 1, series of 1962, wherein they waived or renounced in favor of their father their inheritance to the portion of the conjugal property belonging to their deceased mother. The deed of sale was evidently unregistrable since Document No. 24 abovementioned, which was in the nature of an extrajudicial partition executed by the heirs of Rafaela Mercado, was not presented. Yet, without even inquiring, much less demanding the production of the extrajudicial partition alluded to in the deed of sale, the respondent, contrary to existing rules and regulations, proceeded with the registration of the deed of sale, effected the cancellation of the title of the vendor, and issued a transfer certificate of title to J. Sulpicio Alix.

In the other deed of sale dated March 16, 1964, Exhibit K, the same Eulalio Ragua purportedly sold to Nicanor Soriano, Remigio Francisco and Manuel Agting, 1,919,322 square meters of the same property covered by OCT No. 632. Without inquiring whether the conditions prescribed by law regarding the liquidation and settlement of the conjugal partnership between the vendee Eulalio Ragua and his deceased wife Rafaela Mercado have been complied with, which is the normal procedure, the respondent admitted the document to registration.

The land supposedly embraced by OCT No. 632 was unusually big – more than 4,000,000 square meters located right in Quezon City. The two deeds of sale, Exhibits K and M, covered 1,919,322 square meters and 248 hectares, respectively. Considering the size of the areas involved and their ostensible value, a normally prudent register of deeds would have exercised great caution and seen to it that all requisites of the law have been complied with before reconstituting OCT No. 632 and registering the two deeds of sale. But not this respondent. With undue haste and in utter disregard of the law and its implementing rules, he deliberately gave due course to the petition for administrative reconstitution in the absence of the requisite affidavit of the registered owner; and without making any serious effort to verify whether the certificate of title was still in force at the time of its alleged loss or destruction, notwithstanding visible erasures and alterations on the document, and despite his

knowledge of a pending case for judicial reconstitution of the same certificate, he administratively reconstituted what turned out to be a spurious title, and further compounded his wrong by registering voluntary transfers of portions of the same property based on defective or insufficient documents. His actuations, needless to state, greatly prejudiced public interest and seriously undermined the integrity and incontrovertibility of land titles under the Torrens System.

Wherefore, Mr. Benjamin M. Reyes is hereby removed from office as Register of Deeds of Quezon City, effective upon his receipt of a copy of this order.

Done in the City of Manila, this 28th day of October, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

BY THE PRESIDENT:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 148

CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN PAMPANGA ON THE ONE HAND AND ZAMBALES AND
BATAAN ON THE OTHER.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of the boundary line between Pampanga on the one hand and Zambales and Bataan on the other with a view to determining its true and correct location, composed of the following:

Director, Bureau of Coast & Geodetic Survey	-----	Chairman
District Forester of Pampanga	-----	Member
District Land Officer of Pampanga	-----	Member
Highway District Engineer of Pampanga	-----	Member
District Forester of Zambales	-----	Member
District Land Officer of Zambales	-----	Member
Highway District Engineer of Zambales	-----	Member
District Forester of Bataan	-----	Member
District Land Officer of Bataan	-----	Member
Highway District Engineer of Bataan	-----	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to the Provincial Boards of the provinces involved a report of its accomplishments within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the aforementioned provinces.

Done in the City of Manila, this 12th day of November, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO, JR.
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 149
TRANSFERRING MR. CARLOS C. MANAOIS, CITY ENGINEER OF BASILAN CITY, TO
ANOTHER CITY.

This is an administrative case filed by Mayor Leroy S. Brown of Basilan City against City Engineer Carlos C. Manaois of the same city for violation of law, dishonesty and conduct prejudicial to the best interests of the service consisting of five (5) charges, to wit:

(1) Diverting funds provided for under Republic Act. No. 2301 for the construction and repair of various schools in Basilan City, and informing city residents thereof that said funds belonged to Congressman Vincenzo Sagun, then a candidate for the position he now occupies;

(2) Utilizing and employing government laborers in the construction of his house at Roxas Avenue, Isabela, Basilan City, using government vehicles in hauling tiles and window glasses for his house, using a government payloador and loose earth in filling the porch of his house and employing government laborers for installing concrete pipes under his residence;

(3) Purchasing non-essential materials and equipment amounting to ₱19,780 and charging the same to appropriation fund NC-63 purely intended for the maintenance of national roads and bridges and also purchasing unnecessary and useless equipment at the unreasonable price of ₱11,980 without the necessary appropriation therefor;

(4) Employing gang-laborers during the 1965 Presidential election under the pretext that they were to repair roads, bridges and other city work projects, and using them in campaigning for Congressman Vincenzo Sagun and other candidates of the Liberal Party; and

(5) Purchasing spare part (universal cage outer) of a government payloador at the unreasonable price of ₱16,970 and defying and willfully neglecting the instruction of the Commissioner of Public Highways to hold payment of the balance thereof.

The charges were looked into by an investigator from the Department of Public Works and Communications (DPWC) who, on the basis of his findings, recommended that Charges Nos. 1, 3, 4 and 5 be dropped for not being fully substantiated. For Charge No. 2, the investigator found respondent to have extended influence over his subordinates in the construction of his residence and recommended that he be admonished, in which the DPWC Secretary concurs.

After a careful review of the records, I am satisfied that Charge No. 1 has not been satisfactorily proved. On the contrary, it appears that respondent's office merely prepared programs of work in accordance with allotments released by the DPWC and acquired the necessary materials. Moreover, complainant's witnesses testified that the construction and/or repairs in question were undertaken after the 1965 election.

As regards Charge No. 3, it was established that complainant's witnesses were either not qualified on the subject matter they were testifying, or that they were too old to be practically reliable. On

the other hand, the shop superintendent testified that the purchase of the spare parts in question was necessary to accelerate the productive output of the principal equipment on which they were installed. Besides, said spare parts were bought under a covering general voucher containing the statement that “the charge against appropriation fund NC-63 would be adjusted against Project 2037 as soon as funds were available,” and that there was corresponding authority for such an action.

With respect to Charge No. 4, the evidence on record fails to yield any direct and material evidence to substantiate the same.

Neither is there evidence to prove Charge No. 5, it appearing that respondent was virtually cleared by the BPH Commissioner who, in his indorsement dated July 25, 1967 (Exh. 12), expressly pointed out that respondent was not accountable for any anomaly in the purchase of the universal cage outer for the BPH payloader when he stated that “the procurement of the items requisitioned was done in the Department . . .” and “the city engineer have [sic] nothing to do with the price or prices of the items requisitioned. If there was any overpricing therefor . . . the Department Auditor and the representative of the Bureau of Supply Coordination who determined the prices, through canvass . . . should be held accountable for such an anomaly.” Proof was likewise wanting that respondent defied the instruction of the BPH Commissioner to hold payment of the unpaid balance of the universal cage outer, it appearing that in a letter of the Department Head dated February 27, 1967 (Exh. 10), he was expressly authorized to pay the balance thereof.

However, respondent is not entirely faultless as regards Charge No. 2. The payloader in question was then being used on a workday (Friday) in a certain project in Pantukan, Basilan City, when respondent through an employee ordered the operator thereof to bring the machine to Isabela, which is approximately 35 kilometers therefrom, to be used the following day in the construction of his residence. While it is true that respondent paid the rental for the use thereof, it may be stated that he violated the established rule that as a public official he cannot contract with himself as a private citizen. Moreover, the records disclose that he used loose earth belonging to the government as filling material in his residence.

Considering the nature of the offenses committed by respondent and in view of the strained relations existing between him and complainant, a situation not conducive to the smooth functioning of their respective offices, it is believed that respondent’s further stay in Basilan City will not redound to the interest of the service. Accordingly, City Engineer Carlos C. Manaois shall be transferred to another city, with the admonition to be more careful and cautious in his future conduct.

Done in the City of Manila, this 19th day of November, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) JOSE J. LEIDO, JR.

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 150
SUSPENDING MR. JOSE B. BARRAMEDA FROM OFFICE AS MUNICIPAL JUDGE OF BAAO,
CAMARINES SUR.

This is an administrative case filed by Mr. Francisco Bulalacao against Municipal Judge Jose B. Barrameda of Baao, Camarines Sur, for irregular actuations in several criminal cases filed in his court, which was formally investigated by the Executive Judge of the Court of First Instance of Camarines Sur.

Complainant alleges that in Criminal Case No. 983 (for murder) respondent (a) allowed the former's inclusion as coaccused therein on the basis of hearsay; (b) denied him bail; and (c) delayed the remanding of the case after preliminary investigation.

In his defense respondent admits that he ordered complainant's inclusion as coaccused in the criminal case after being implicated by two witnesses in their sworn affidavits; that he denied bail to complainant, the crime of murder being a capital offense; and that he remanded the case to the Court of First Instance of Camarines Sur the next day after complainant waived his right to preliminary investigation.

Respondent's defense is tenable. Although respondent failed to conduct the preliminary investigation before ordering the arrest of complainant, the records show that the affidavits of the two witnesses were sworn to before him and that on the basis of his preliminary inquiry he issued two orders, one amending the complaint to include complainant and another issuing a warrant for his arrest.

As to the second charge, complainant claims that respondent was partial to the accused in Criminal Case No. 977 of his court when he prevailed upon the offended party to withdraw the case and fixed the bail of the accused at a low amount.

Respondent's explanation regarding his actuation in the aforesaid criminal case is satisfactory, it appearing that the offended party, after conferring with his counsel, withdrew the case because of the counter-criminal charge filed by the father of the accused and for fear that he would be arrested for failure to post the necessary bail. The withdrawal also appears to be in order, considering the close relationship of the parties, the wife of the offended party being the sister of the accused. Likewise, respondent was justified in ordering the amendment of the complaint and fixing the amount of the bail at ₱600 as a result of his preliminary inquiry that the offense actually committed was not attempted murder but only physical injuries.

Complainant finally alleges that in several criminal cases respondent required from the accused the additional cash amount of ₱20, aside from the regular bail bond, before releasing them.

Respondent claims having acted in good faith in requiring the accused in some cases to put up ₱20 as cash deposit in addition to the property bond offered as bail to protect the government from possible losses when taxes are not paid on the land offered as surety in the bail bond, when the bondsmen are not the registered owners of the property or when the accused jumps bail in connivance with the bondsmen. Respondent also claims that said amount was duly deposited with and receipted

for by the municipal treasurer and then refunded to the accused after the termination of the cases in favor of the accused.

To justify his actuation in requiring cash deposit, respondent cites Section 10, Rule 110, of the old Rules of Court. Said section, however, does not authorize him to require a cash deposit in determining the solvency of the sureties. On the contrary, said section empowers him to examine the sureties under oath and if he is not satisfied as to their solvency he could require that the accused present other solvent sureties for the approval of the bail bond. So that once respondent has approved the bail bond, he could not require anything else for the release of the accused (Sec. 11, Rule 110, old Rules of Court). Although the additional cash amount required by respondent was called a cash bond, it is not that provided for in Section 14 of said Rule, which refers to the deposit in cash of the whole amount stated in the order fixing bail, in lieu of the surety bond.

It is therefore clear that respondent acted arbitrarily in requiring the cash deposit to the prejudice of the accused whose release from confinement was delayed by such requirement. As aptly stated by the Secretary of Justice “his [respondent’s] good faith in seeking to protect the interest of the government is not sufficient to exempt him from administrative liability, considering that, for the good of the service, respondent and other judges should be impressed with the need for keeping their actuations within bounds of the law.”

Wherefore, and upon recommendation of the Investigating Judge and the Secretary of Justice, Municipal Judge Jose B. Barrameda is hereby suspended from office for one (1) month without pay, effective upon receipt of a copy of this order. He is further warned that a repetition of similar irregularity will be dealt with more severely.

Done in the City of Manila, this 26th day of November, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 151
CREATING A NATIONAL COMMITTEE ON DISASTER OPERATIONS

In order to insure effective coordination of operations of the different agencies during disasters caused by typhoons, floods, fires, earthquakes, seismic sea waves (tidal waves), volcanic eruptions, epidemics, major accidents and other similar calamities, a National Committee on Disaster Operations is hereby created to be composed of the following:

The Executive Secretary	Chairman
The Secretary of Social Welfare	Vice-Chairman
The Secretary of National Defense	Member
The Secretary of Health.....	"
The Secretary of Public Works and Communications.....	"
The Secretary of Agriculture and Natural Resources.....	"
The Secretary of Commerce & Industry.....	"
The Secretary of Education	"
The Commissioner of the Budget	"
The Secretary of Community Development.....	"
The Secretary-General, Philippine National Red Cross	"
The National Civil Defense Administrator	"

Likewise, there shall be designated a National Coordinator to implement the policies, rules and regulations promulgated by the Committee under this Order. He shall be assisted by personnel to be detailed from the implementing agencies of the Committee, to compose the Plans and Operations and the Administrative staffs.

Salaries and other expenses of the personnel detailed by various offices or agencies in accordance with the foregoing provision shall continue to be for the account of their respective offices.

The Committee is hereby authorized to create committees on the provincial, city and municipal levels, which shall function as sub-committees in accordance with the policies set forth under this Order.

I – DUTIES AND FUNCTIONS

The duties and functions of the Committee shall be as follows:

1. To provide policy guidance on disaster operations which shall include:

- a. preparedness program
- b. rescue

- c. relief
- d. rehabilitation

2. To determine and evaluate the requirements for major disaster and submit recommendations to the President for the allocation of critical resources.

3. To advise the President on the necessity of declaring the existence of a state of emergency in areas affected by disasters.

Disaster, operations require immediate action to save lives, alleviate sufferings, prevent epidemics, protect rights, maintain law and order, and develop among the victims an attitude of self-reliance and fortitude.

II – AUTHORITY TO CALL UPON OTHER AGENCIES

The Committee is hereby authorized to call upon officials of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, as well as to request or appeal to non-governmental agencies, for such assistance as may be required in the discharge of its duties and functions.

III – RULES AND REGULATIONS

The Committee is hereby authorized to adopt or promulgate such rules and regulations or working procedures and organizational set-up as may be necessary to carry out the intent and purposes of this Order.

IV – REPORTS

The Committee shall render to the President initial and progress reports, and at the completion of each major disaster operation, a final report thereon. At the end of each Fiscal Year, an annual report shall be submitted by the Committee to the President to include recommendations for necessary appropriations to support disaster operations as contemplated herein.

V – REPEALING CLAUSE

This Order supersedes Administrative Order No. 21 dated August 30, 1962 and all orders, rules and regulations inconsistent herewith.

Done in the City of Manila, this 2nd day of December, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 152

REQUIRING THE MUNICIPAL BOARDS OR CITY COUNCILS AND MUNICIPAL COUNCILS TO SUBMIT PROPOSED ORDINANCES AND SUBDIVISION PLANS TO THE NATIONAL PLANNING COMMISSION FOR COMMENT AND RECOMMENDATIONS, BEFORE TAKING ACTION ON THE SAME; AND TO FORWARD A COPY OF THEIR APPROVED SUBDIVISION ORDINANCES TO THE SAID COMMISSION.

WHEREAS, the rapid rate of population growth and urbanization in the country have given rise to a rapid expansion or built-up areas of our cities and municipalities, resulting in numerous new residential subdivisions; and

WHEREAS, there are presently in force in many of these cities and municipalities subdivision ordinances regulating the subdivision of land; and

WHEREAS, it has come to the attention of this Office that the minimum standards of such ordinances regarding design, servicing and streets, and open spaces for parks and other recreational purposes are not being complied with; and

WHEREAS, it is in the best interest of the local governments, the future residents of such subdivisions and the country that compliance with those standards be ensured.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. All Municipal Boards or City Councils, and all Municipal Councils in cities and municipalities in which a subdivision ordinance is in force, shall submit three copies of every proposed subdivision plan for which approval is sought, together with the subdivision ordinance, to the National Planning Commission for comment and recommendation;
2. The National Planning Commission shall review the proposed subdivision plan to determine if it conforms with the subdivision ordinance;
3. The comments and recommendations shall be noted on the copies of the plan submitted. One copy of the plan, with annotations shall be returned to the local government, and one copy shall be transmitted to this Office. The third copy shall be retained in the files of the Commission.
4. On receipt of the copy of the proposed plan and the comments and recommendations of the National Planning Commission, this Office will take such action as is necessary to secure compliance with the subdivision ordinance in force in the municipality, in fulfillment of our duty of supervising the activity of local governments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 153
CONSIDERING DISTRICT JUDGE GAUDENCIO CLORIBEL OF THE COURT OF FIRST
INSTANCE OF MANILA AS RESIGNED FROM OFFICE

This is an administrative case before the Supreme Court (Administrative Case No. 121-J), filed by the Secretary of Justice against the Honorable Gaudencio Cloribel, District Judge of the Court of First Instance of Manila, for serious misconduct and incompetence or inefficiency. Respondent judge, upon petition of complainant and as recommended by the Supreme Court, was suspended under Administrative Order No. 99 dated January 5, 1968, pending investigation of the charges. The case was thereafter investigated by a Justice of the Court of Appeals, who submitted his report and recommendation, and reviewed by the Supreme Court, which submitted to the President its report and recommendation, as embodied in the Per Curiam Resolution promulgated on November 12, 1968.

The charges against Respondent Judge are as follows:

1. That, in thirty-seven (37) specified cases, Respondent approved bail bonds submitted by bonding companies without the initial thereon of the Clerk of Court, attesting to his having verified that the company offering the bond has submitted its monthly statements of assets and liabilities and has no pending obligations to the Court in any amount, on account of unsatisfied execution upon its bonds, as required in a resolution of the Judges of First Instance of Manila.

Respondent, however, denies that the resolution of the Judges of First Instance of Manila requires prior verification and initialing of a bond by the Clerk of Court before a Judge may approve the same.

2. That in twelve (12) cases Respondent approved bail bonds even before the corresponding informations had been filed in court. This is not denied by Respondent, who justifies his act by maintaining that a detained person is entitled to bail even if not yet formally charged with a crime.

3. That Respondent approved bail bonds in six (6) cases in amounts less than those recommended by the Fiscal in the respective information. This is also admitted by Respondent, who claims that, when he approved the bail bonds in question, he was motivated by no less than an ardent desire to give meaning to the constitutional right to bail.

4. That, in nine (9) cases, Respondent approved bail bonds although these cases were assigned to the Judges of other branches of the Court of First Instance of Manila, fixing bail in amounts much lower than those fixed by the Judges to whom the cases had been assigned; and that the approved bail bonds in some cases were issued by surety companies which were black-listed for failure to satisfy writs of execution upon other bonds issued by them.

Respondent admits that he approved bail bonds in cases assigned to other judges but alleges having done so, either because he was not aware at the time that these cases were already assigned to other judges or because such judges were absent or not readily available. He claimed that only two Judges of the Court of First Instance of Manila resided in this City and that, having acted upon the bail bonds at night, he had invariably been informed by the relatives of the accused that the other

judges were not available. On the other hand, Respondent denies having approved any bond issued by a surety company not authorized to conduct business with the courts.

5. That, in twenty-one (21) cases, Respondent issued injunctions against the Commissioner of Immigration at the instance of Chinese nationals to prevent the confiscation of cash bonds filed in their behalf or prevent them from being arrested or expelled from the country.

6. That, in forty-five (45) cases, Respondent indiscriminately and illegally issued ex-parte writs of preliminary injunction and restraining orders although such ex-parte proceedings are discouraged by judicial ethics.

In answer to these two charges, Respondent justifies the injunctions and restraining orders on the ground that they were necessary to preserve the rights of the petitioners and prevent their cases from becoming moot; and that the same remedy had been granted by other judges in the Court of First Instance of Manila in similar cases with practically the same frequency, so that his errors, if any, in granting preliminary injunctions were merely errors of judgment not indicating misconduct or inefficiency.

7. That Respondent was first censured and later found guilty of contempt and fined by the Supreme Court for open defiance, placing Respondent's office in public disrepute and casting a very grave doubt on his fitness to stay any longer on the bench.

In his defense, Respondent pleads that he acted in good faith, claiming that he had no willful intent to disobey the Supreme Court and that he was misled by the Office of the Solicitor General into doing so.

Reviewing the evidence, the Supreme Court finds that Respondent has satisfactorily explained his actuations as referred to in the first three charges. I agree that he should be exonerated from these charges. His approval of bail bonds not verified by the Clerk of Court was in order, there being no requirement of such verification either by the practice or express agreement of the Judges of the Court of First Instance of Manila (Resolution, page 5).

Neither can Respondent be faulted for approving bail bonds of persons against whom the corresponding informations had not yet been filed, they being already under arrest (Resolution, pages 5-6). Equally in order was his approval of bail in amounts less than those recommended by the Fiscal, it not having been shown that such amounts were unreasonable or that Respondent had otherwise abused his discretion (Resolution, page 6).

With respect, however, to the other charges, I concur with the findings of the Supreme Court, unanimously approved by the Chief Justice and eight Associate Justices, in its Per Curiam Resolution, declaring him guilty of such charges, as set forth on pages 25 to 32, inclusive, and quoted as follows:

“After a dispassionate consideration of the foregoing evidence, this Court has arrived at the following conclusions:

“1. Respondent has transcended the bounds of sound judicial discretion in allowing surety companies to abuse his apparent laxity in approving bail bonds on week-ends and holidays and/or at nighttime, resulting in his approval of bail bonds subscribed by bonding companies which had been previously black-listed, and, as such, were no longer qualified to conduct business with the Court of First Instance of Manila as previously agreed upon by its Judges. Certainly, a person's right to bail in proper cases must be recognized as soon as he is arrested; but this is not incompatible with that care, diligence, and precaution which Judges acting upon bail bonds are in duty bound to take, to be sure that the surety companies offering the bonds are solvent. Such

a task should not be taken lightly. The only purpose of bail is to place the person of the accused within the court's jurisdiction and to guarantee his appearance when required, and it is the duty of the Judge approving the bail bond to make sure that the sureties are responsible and solvent in order the said guaranty should be effective; otherwise, should bail bonds prove to be worthless or useless, as in the fourteen (14) cases above specified, not only shall public interest be affected but a downright mockery of the Rules be engendered. Respondent's acts in those cases speak loudly of his negligence, and show a plain disregard of the interest of the Government, which was not at all difficult to avoid had he so minded. And to be sure, more caution should be exercised by Judges to avoid such occurrence, if We hope to keep the faith of the people in the courts of justice.

"2. The interference of Respondent in cases already assigned to the salas of other Judges of the Court of First Instance of Manila falls short of that circumspection and delicadeza that are reasonably expected of a judicial officer holding the esteemed and enviable position of judge of a court of first instance. There should be no disagreement that the fixing of the amount of bail in a given case is discretionary on the part of the judge taking cognizance thereof. But once an amount had been fixed by the said judge after a consideration of the nature and gravity of the offense charged, it would be the height of indiscretion on the part of another judge to modify it; for such would be tantamount to a substitution of the latter's own discretion to that of the other, which is bound to court the resentment of the judge who had previously fixed the amount of bail. Respondent, of course, pleads that when he fixed and approved the bail bonds in the cases in question, he was not aware that said cases were already assigned to the salas of other judges. But this can only mean that he never bothered to ask the persons presenting the bonds before him about the status of the cases wherein the said bonds were offered and thereby allowed his liberality and good faith to be abused. And even were We to assume for the moment, that Respondent had acted in good faith in the cases where he first made such interferences, still, subsequent cases wherein he reiterated the same acts of interference negate such assumption, for the stubborn fact remains that notwithstanding his controversy with another judge regarding such interferences, Respondent thereafter approved bail bonds in three (3) other cases assigned to other judges.

"3. Respondent's issuance of restraining orders ex parte, and without bond, in the various civil cases specified in the charges do not, in themselves, show manifest improvidence. It is true that restraining orders, unlike preliminary injunctions, are not expressly provided for in the Rules, but authorities recognize the inherent right of courts to grant immediate temporary relief pending the determination of whether or not a preliminary injunction should issue."

X X X X

"With respect to the preliminary injunctions issued ex parte by Respondent in the various other specified cases, it would appear from their number, and from the number of times We have stopped Respondent, through preliminary injunctions and restraining orders, from carrying out preliminary injunctions issued by him at his discretion as borne out by this Court's records, it is not hard to perceive that Respondent has created a pattern of judicial behavior that is not at all conducive to the proper regard of the judiciary in the estimation of the people. The issuance of preliminary injunctions, it is true, rests upon the sound judicial discretion of the Judge presiding the court, in the exercise of which the judge may err; errors of judgment are unavoidable elements of our judicial system. But when adverse reaction has been expressed by the highest court of the land in a number of cases involving a judge's exercise of that discretion, double care should surely

be taken in order that such a censure will not recur. Respondent appears to be lacking in such self-restraint.

“4. Respondent’s insistence in maintaining the preliminary injunctions he had issued against the Commissioner of Immigration in three (3) instances, even after the Supreme Court had definitely ruled that the Cabinet extensions granted to aliens were illegal shows unequivocally, that he had no respect for the ruling of the Highest Court of the land in those cases. Such norm of judicial conduct should be nipped in the bud, if only to sustain the people’s faith in the courts of justice. And it is no wonder that Respondent should be the recipient, in one of the instances referred to, of the following reprobation from this Tribunal:

‘Now, if a Judge of a lower Court feels, in the fulfillment of his mission of deciding cases, that the application of a doctrine promulgated by this Superiority is against his way of reasoning, or against his conscience, he may state his opinion on the matter, but rather than disposing of the case in accordance with his personal views he must first think that it is his duty to apply the law as interpreted by the Highest Court of the land, and that any deviation from a principle laid down by the latter would unavoidably cause, as a sequel, unnecessary inconveniences, delays and expenses to the litigants. And if despite of what is here said, a Judge, still believes that he can not follow Our rulings, then he has no other alternative than to place himself in the position that he could properly avoid the duty of having to render judgment on the case concerned (Art. 9, C. C.), and he has only one legal way to do that.’ (Vivo v. Cloribel, L-23239, Nov. 23, 1966, citing *People v. Santos*, 56 O. G. 3546, 3552-3 3553.)

“5. Respondent’s guilt of contempt of the Supreme Court is now judicially settled by final decision (*Commissioner of Immigration vs. Cloribel*, L-24139, August 31, 1967). His protestations of good faith must be rejected, for not only is good faith no defense in such proceedings (32 *Corpus Juris* 499) but its existence in said case is totally disproved by the fact that to this date, over one year since the decision became final, the respondent Judge has failed and refused to satisfy the fine of ₱100.00 imposed upon him by this Supreme Court. This, notwithstanding the fact that the non-payment was brought to light and amply argued in the hearing of this administrative case on October 3, 1968, where respondent Judge was personally present. We can not but take a serious view of such obduracy, since it plainly reveals a clear intent to ignore and defy the final orders of this Court. Such attitude, undesirable and deserving of repression in case of laymen, becomes intolerable in a subordinate member of the Judiciary. It betrays the absence of that ‘becoming modesty of inferior courts which demands conscious realization of the position they occupy in the interrelation and operation of the integrated judicial system of the nation’ (*People vs. Judge Jose O. Vera*, 65 Phil. 56,82).

“In resume, this Court finds the Honorable Judge Gaudencio Cloribel guilty: (1) of gross negligence in approving bail bonds – issued by surety companies whose bonds were no longer acceptable by the Court of First Instance of Manila because they have been black-listed pursuant to the agreement of its Judges – in Criminal Cases Nos. 83110, 84145, 84159, 83726, 85685, 83029, 84270, 82236, 68778, 75685, 83191, 92921, 83413, and 83270; in fixing and approving bail bonds in said cases, and in the other criminal cases specified in the charges, when the records thereof were not before him to enable him, at least, to ascertain the true nature of the corresponding charges for purposes of fixing the reasonable amounts of bail, or to find out if they were already assigned to other Judges who might have previously fixed the amount of bail in said

cases; in approving a surety bond of ₱2,000.00 for the release of the accused in Criminal Case No. 68778, notwithstanding the fact that another Judge had previously required said accused to post a cash bond of ₱3,000.00 as a condition for his provisional release, after he had jumped bail three (3) times; and in his issuance of preliminary injunctions *ex-parte*, as shown by the frequency in which writs inprovidently issued by him in deportation and other civil cases have been stopped and/or set aside by this Court; (2) of usurpation of authority of the other Judges of the Court of First Instance of Manila in whose salas Criminal Cases Nos. 64543, 80586, 84395 and 68778 were already assigned, by fixing and approving bail bonds in said cases in amounts exceedingly less than those previously fixed therein by said Judges; and (3) of utter lack of respect for the rulings of the Highest Court of the Land in refusing to dismiss and/or lift the writs of preliminary injunction he had issued in Civil Cases Nos. 51574, 51626 and 63135 of the Court of First Instance of Manila, resulting in the stay in this country of the Chinese nationals involved in said cases beyond the period authorized by law, even after this Court had definitely ruled in previous cases that extensions granted to overstaying aliens by the Secretary of Foreign Affairs and the Secretary of Justice under the so-called Cabinet Resolution of February 29, 1956, were illegal. Parenthetically, in Civil Case No. 50993, which is one of the cases specified in the charges, this Court has recently found that the same act of disrespect to the rulings of this Court has been committed by Respondent, prompting this Court to reprove him in rather strong language, to wit:

‘The conclusions derivable from the foregoing chain of uncontested facts are: that herein private respondents secured admission to the Philippines as temporary visitors by falsely pretending to come for a visit but, actually, with the intent to stay permanently; that, knowing that their authorized stay would expire on 16 June 1962, private respondents filed their petition in court for injunction, then delayed its adjudication, the better to prolong their stay; and that private respondents have thus succeeded in prolonging their stay in the country even beyond the date that they had originally sought and asked for, which was 11 April 1963, upon the respondent court’s compounded abuse of discretion, inaction, and excess of jurisdiction.’ (See *Vivo vs. Cloribel*, G.R. No. L-25411, Oct. 26, 1958) [Underscoring supplied/]

“Finally, this Court finds respondent Judge guilty of deliberate and culpable refusal to comply with the orders of this Court by deciding the case of *Tobiano Co., et. al. vs. Vivo*, Case No. 58782, of the Court of First Instance of Manila, in violation of the writs of injunction issued by this Court (ante, pages 23-25) and for which said respondent was fined for contempt of court in G.R. No. L-24139, August 31, 1967 (*Commissioner of Immigration vs. Cloribel*), and by ignoring and refusing to pay the ₱100.00 fine therein imposed, despite the lapse of one year, as stated in page 29 of this report.

“It is the considered opinion of this Court, after mature deliberation over the facts, that the respondent Judge is guilty not only of negligence, as contended by him, but of serious misconduct and incompetence. The circumstances made manifest in the course of these administrative proceedings prove respondent to be insensitive to the dignity and ethics of the judicial office that demand that judges, more than any other officials, set the example and comport themselves at all times like Caesar’s wife, avoiding at all cost to give grounds for suspicion. Respondent’s disregard and refusal to comply with lawful orders of the Supreme Court, and his recklessness in the other cases of which he is heretofore found guilty, bid fair to undermine the authority reputation of the Supreme Court. Even more, respondent’s behavior places the Philippine Judiciary in extremely

unfavorable light from the view point of the general public. How can the latter be expected to obey court orders, if the judges themselves set the example in contemptuously ignoring final and lawful orders of superior courts, and in invading the prerogatives and jurisdiction of other judges of equal category?

“Public officials with such predisposition to callous disregard of the proprieties in the performance of judicial functions have no place in the Judiciary, for it is peculiarly essential that the system for establishing and dispensing Justice be developed to a high degree of efficiency and so maintained that the public shall have absolute confidence in the integrity and impartiality of its administration. It is in this spirit that we find no alternative, under the circumstances of this case, but to act accordingly with the end in view to dissipating the cloud of public opprobrium to which the Bench has been exposed by the acts of Respondent.”

Wherefore, and upon unanimous recommendation of the Supreme Court, Judge Gaudencio Cloribel is hereby considered resigned from office, effective January 5, 1968.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 154
REQUIRING ALL DEPARTMENTS, BUREAUS, OFFICES, AGENCIES, INSTRUMENTALITIES
AND POLITICAL SUBDIVISIONS OF THE GOVERNMENT TO COOPERATE WITH
AND ASSIST THE NATIONAL HISTORICAL COMMISSION IN THE COMPILATION OF
DOCUMENTS NEEDED FOR THE PROPOSED ECONOMIC HISTORY OF THE PHILIPPINES.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order and require all departments, bureaus, offices, agencies, instrumentalities and political subdivisions of the government to cooperate with and assist the National Historical Commission created under Republic Act No. 4368, in pursuing, either directly or through its Economic Sub-Committee, the organization and development of comprehensive bibliographies and compilations of primary and secondary documents bearing on the post-war economic history of the Philippines relative to topics specified by the National Historical Commission as future aids and guides to research regarding the economic history of the Philippines.

Accordingly, all departments, bureaus, offices, agencies, instrumentalities and political subdivisions shall allow the National Historical Commission, the Economic Sub-Committee referred to above, or the duly authorized representatives of either body, reasonable access to books, records, papers, documents, or other writings, for the purpose of borrowing, reproducing, copying, classifying, cataloguing, or otherwise working with such records or writings as are deemed relevant to the project being undertaken.

Done in the City of Manila, this 25th day of December, in the year of Our Lord, nineteen hundred and sixty-eight.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1968). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 155
REMOVING MR. ELIGIO C. DAJAO FROM OFFICE AS MUNICIPAL JUDGE OF OROQUIETA,
MISAMIS OCCIDENTAL.

This is an administrative case against Municipal Judge Eligio C. Dajao of Oroquieta, Occidental Misamis, filed by Provincial Fiscal Diosdado Bacolod, arising from their controversy in Criminal Case No. 7473 of respondent's court, when the latter denied the fiscal's motion to dismiss the case. As a result of the language used in the fiscal's motion for reconsideration, respondent charged and sentenced him for contempt. The fiscal, after having the execution of the contempt judgment enjoined, filed numerous administrative charges against respondent. The charges, which may be categorized into two main headings of bad moral character and abuse of authority, were investigated by District Judge Geronimo R. Marave.

After going over the records of the investigation, I find the following facts duly established:

I. GRAVE ABUSE OF AUTHORITY AND/OR NEGLIGENCE

A. On December 26, 1962, respondent sent his flat tire to the vulcanizing shop of Ricardo Baytion in Oroquieta, Misamis Occidental. After the tire was repaired by Jose Tubal, the vulcanizer of Baytion, respondent came and asked the latter the cost of the vulcanizing job and was informed that it was ₱1. When respondent asked why he was being charged ₱1 instead of ₱.50 only which he used to pay, the vulcanizer told him that Baytion raised the price in view of the increase in price of materials. Respondent then brought the tire home without paying the amount involved. The next morning (Dec. 27) Baytion sent the invoice (Exh. DD-4) to respondent for payment of ₱1, but instead of paying, respondent wrote on the face of the invoice: "To be verified yet if work actually done." Respondent then went back to Baytion's shop and inquired from Tubal whether he vulcanized his tire, claiming that no vulcanizing was done according to his houseboy. Tubal told him that the hole was in an old patch and he had to repair it again. Not satisfied with the explanation, respondent told Tubal to wait for him because he was going to fetch a policeman to get Tubal, who reported to Baytion that respondent was mad for having been charged of ₱1 instead of ₱.50. When the policeman arrived, Baytion accompanied Tubal to the municipal building where the latter was investigated by the police. Baytion then suggested that the tire be opened to verify if it was actually vulcanized, and it was found that there was really a new patch in it. This notwithstanding, respondent filed Criminal Case No. 7397 (for estafa of ₱1) against Baytion and Tubal in his own court. On the same day, they were arrested and would have been detained were they not able to promptly put up the necessary bail bond.

B. With respect to Criminal Case No. 7473, respondent (a) failed to furnish herein complainant fiscal with a copy of the order denying his motion to dismiss and setting the case for trial; (b) cited him for contempt without sufficient cause and issued a warrant of arrest instead of a summons when he sent a reply to the contempt order in lieu of his personal appearance; (c) convicted him for contempt without filing formal charges and without hearing; (d) failed to forward the record of the case to the

Court of First Instance within five days after receiving the notice of appeal; (e) issued another warrant of arrest for his alleged failure to appeal from the contempt judgment; (f) rejected a cash appeal bond tendered by him under official receipt; and (g) charged him again with contempt for an act already included in the previous judgment.

I agree with the investigating Judge that respondent erroneously penalized herein complainant for indirect contempt by using disrespectful language in his pleading when such act constitutes direct contempt. The investigating Judge also found proven the charge that respondent rejected herein complainant's cash appeal bond and that he failed for a period of over one year to forward the record of the case to the Court of First Instance after receiving herein complainant's notice of appeal. Respondent's inaction in the premises partook of grave abuse of authority or gross ignorance of the law.

As regards the other charges concerning Criminal Case No. 7473, respondent's decision finding herein complainant guilty of contempt admitted that there was delay in furnishing complainant fiscal with a copy of the order denying his motion to dismiss. It may also be noted that respondent's decision finding herein complainant guilty of contempt was reversed on appeal by the Court of First Instance.

Respondent's errors indeed showed that he acted with undue haste without commensurate deliberation in the contempt proceedings against herein complaining fiscal. Moreover, most of these errors could have been avoided had he carefully studied the law on the matter so as not to violate the specific provisions thereof. In this respect, therefore, the evidence shows negligence on respondent's part.

C. Respondent is charged with having granted sometime in September 1961 a usurious loan of ₱400 to Avelino Limpot and Nicolasa Babol, who actually received only ₱300; that for Limpot's failure to pay the loan on the ground that he was a mere guarantor, respondent in 1964 cancelled his bail bond in Criminal Case No. 7602 (for slight physical injuries) and ordered his detention, falsely stating that the taxes on the property offered by him had not been paid; and that when Limpot filed in the Court of First Instance a criminal case (Exh. BB-3) against respondent for arbitrary detention with falsification, the latter in retaliation ordered Limpot's arrest on a fabricated complaint for falsification.

The documentary evidence on the alleged usurious transaction entered into by respondent consists of a deed of sale of land with right to repurchase, executed by Avelino Limpot in favor of respondent's wife, the right of repurchase to expire after December 31, 1961. The deed was duly acknowledged before a notary public and one of the witnesses was Nicolasa Babol. Aside from respondent's denial of the charge of usury, the document signed by Limpot negated his testimony that the amount of the loan was less than that stated in the deed. It also appears in respondent's testimony under cross-examination that Babol testified to the truth of the statement in the deed. The charge of usury is therefore without basis.

Respondent's order cancelling the bail bond of Avelino Limpot in Criminal Case No. 7602 reads:

"The court has information that the property posted as bond by Avelino Limpot himself as a surety is in the possession of another person. It appears also that the tax declaration of said property is new and taxes thereon had not been paid in his name for the last three years. It is now the policy of this court to allow the accused to appear as surety to this own bailbond. In view of these considerations, the bond posted for Avelino Limpot is hereby cancelled and he is hereby detained until he puts a new bail bond with the proper sureties."

Respondent admitted that the taxes on the land had been paid for the last five years but explained that he was not aware of this fact, since the bail bond showed that the tax was only paid for the current year; that the accused did not present his tax receipts at the time of the cancellation of his bail; and that the land had been declared for taxation purposes in the name of the accused only six days before the execution of the bail bond, in violation of Circular No. 44 of the Department of Justice dated July 30, 1958, as reiterated in Circular No. 2 of January 23, 1964.

Respondent's explanation on the bail cancellation is entirely unsatisfactory. The record shows that the bail bond in question was previously approved by respondent and that no prior notice was given to Limpot of its cancellation for being allegedly defective despite the fact that taxes on the property had been paid as appearing on the face of the bond itself. Respondent's cancellation of the bond in question resulted in Limpot's arrest and detention for ten days for the minor offense of slight physical injuries which led the investigating Judge to conclude that "the cancellation of Limpot's bond must have been motivated by Limpot's refusal to pay Babol's debt."

Concerning the filing by respondent of Criminal Case No. 7804 (for falsification of public document) against Limpot, the investigating Judge found that on January 4, 1965, the respondent twice asked Limpot to withdraw his criminal case for arbitrary detention with falsification, but Limpot refused to do so. Thereafter, or on April 23, 1965, respondent ordered the municipal chief of police of Oroquieta to prosecute Limpot for falsification of public document for using his property twice to bail himself and another. On April 28, 1965, the corresponding criminal complaint was filed against Limpot and he was ordered arrested by respondent on the same date.

Under the circumstances, it is clear that the filing of Criminal Case No. 7804 against Limpot was in retaliation for the criminal case for arbitrary detention with falsification filed by Limpot against respondent, which he refused to withdraw when requested by respondent. Although the records show that on April 16, 1964, Limpot used the property in question to bail himself out in Criminal Case No. 7602 and that on May 18, 1964, he used the same property to bail out Mateo Gatab in Criminal Case No. 7617, respondent did not cancel Gatab's bail nor order his arrest as was done to Limpot. There is ample evidence that respondent was aware that the same property was used twice by Limpot, considering the proximity of the dates, i.e. April 16, and May 18, 1964, and yet it was only one year later or on April 23, 1965, that Limpot was charged with the criminal offense.

II. UNBECOMING CONDUCT

A. On October 17, 1962, spouses Meliton Gahuman and Dorotea Balauro sold with right to repurchase their lot located at Barrio Malindang, Oroquieta, for ₱2,500 to Bienvenido Caparas and Paz de Caparas. Subsequently, Gahuman obtained more loans from Caparas totalling ₱6,000. On January 19, 1966, Gahuman sold the same land to respondent's wife for ₱600 on condition that she pay Caparas ₱2,500. The wife of respondent then wrote Caparas on January 24, 1966, informing him that she had already purchased the land and would therefore occupy the same as owner thereof, and offering to pay Gahuman's debt of ₱2,500. Caparas rejected the offer and refused to give up possession of the property, since Gahuman owed him ₱6,000, and prosecuted Gahuman for estafa for selling the property to respondent's wife without first redeeming it. Gahuman countered by filing a case against Caparas for unjust vexation (Exh. B-4) in respondent's court. Caparas was promptly convicted by respondent in view of his failure to introduce any evidence during the trial of the case for, according to him, it was useless to do so, since respondent was partial to the Gahumans. However, on appeal the case was dismissed.

In view of Caparas' refusal to relinquish possession of the land, respondent on February 12, 1966, sent his overseer and two tenants accompanied by a policeman and by means of force and intimidation seized eight sacks of copra from the tenant of Caparas and brought them to the house of the barrio captain. Thereafter, herein complainant fiscal prosecuted respondent and four others for the crime of grave coercion.

Respondent's denial of having anything to do with the seizure of the copra in question is untenable upon the established facts. There is no question that he benefited therefrom as found by the Secretary of Justice considering that the land was purchased by his wife.

B. On the charge that respondent dismissed Criminal Case No. 7820 (for homicide through reckless imprudence) in consideration of the sum of ₱800 received from Hipolito Rapliza, the owner of the truck driven by the accused, the evidence shows that on June 1, 1965, when the aforesaid criminal case was filed Rapliza went to respondent's house with a lawyer to ask for the dismissal of the case, the parents of the victim having agreed to an amicable settlement.

Respondent, on seeing Rapliza, reminded him of the rental due from his lease of respondent's warehouse, which lease Rapliza wanted to terminate. Respondent and Rapliza finally agreed that the latter would pay ₱800 to settle respondent's claim. Rapliza's lawyer then took up with respondent the dismissal of the case against Rapliza's driver. Respondent referred the matter to the acting chief of police for the filing of the appropriate motion.

The next day the acting chief of police filed a motion to dismiss Criminal Case No. 7820, which respondent granted; and on the same day Rapliza paid to respondent the amount agreed upon between them and the accused was released from custody.

Respondent argues that the payment made to him by Rapliza had nothing to do with the dismissal of Criminal Case No. 7820; and that the dismissal, which was without prejudice since the accused had not then been arraigned, was granted in accordance with his practice of allowing the prosecution to determine the sufficiency of the evidence.

Respondent, nevertheless, knew, as clearly shown by the evidence, that Rapliza would not have agreed to settle respondent's claim if he was not interested in the dismissal of Criminal Case No. 7820. Under the environmental circumstances, respondent should have been more careful and judicious in dismissing the criminal case. The injection by respondent of the payment of the rentals due him in order to settle a case pending in his court clearly shows his moral unfitness to remain as judge. Moreover, even if respondent had no possible interest in dismissing the case, his action is still irregular, first, because the case involved the taking of human life, even if accidental; and, second, because dismissal was not warranted by the mere change in the testimony of an eyewitness, even if he was the only available witness of the prosecution, since he was personally examined by respondent before ordering the arrest of the accused, and no effort was exerted to ascertain the motivations or veracity of such an alleged change of testimony. Respondent thus acted immorally, arbitrarily and with undue haste in immediately granting the motion to dismiss Criminal Case No. 7820 against the driver of his lessee.

III. IGNORANCE OF THE LAW AND NEGLIGENCE

A. In Criminal Case No. 8030 of respondent's court, his houseboy, Nemesio Bag-ao, was charged with qualified theft of smuggled cigarettes, which were in respondent's custody as evidence in Criminal Case No. 7658. Respondent amended the complaint to simple theft and sentenced him to only thirty days' imprisonment by crediting him with the mitigating circumstance of voluntary surrender when respondent himself delivered the accused to the chief of police for investigation.

The investigation nevertheless showed the de officio counsel appointed by respondent for the accused offered to have the latter plead guilty to simple theft, which motion was agreed to by the complainant chief of police who amended his complaint accordingly. Respondent seeks to justify his approval of the amendment on the ground that there was no abuse of confidence in the commission of the theft even if the accused was his houseboy because he was not the offended party but the Government, to whom the cigarettes were forfeited. This view of respondent is legally erroneous, as in the crimes of theft or robbery, the offended parties may be more possessors, not necessarily the legal owners of the things stolen or taken. Respondent was in legal custody or possession of the stolen cigarettes and therefore was the offended party. Moreover, respondent admitted that Atty. Siton, the de officio counsel, is married to a first degree cousin of his wife's mother. While this may not constitute grave abuse of authority, it certainly demonstrates ignorance of the law.

Under the attendant circumstances of the case, respondent cannot erase the suspicion that he was unduly lenient to his domestic servant.

While it was proven that he brought home the cigarettes used as evidence in a case pending in his court after the chief of police, the constabulary and the local agent of the Bureau of Internal Revenue refused to accept custody of the cigarettes on the excuse that they had no place where to keep them, respondent is still guilty of negligence for the loss of the cigarettes in question under his custody for his failure to take the necessary precautions to prevent their being stolen by his houseboy.

B. In connection with Criminal Case No. 7658 (for illegal possession of untaxed blue seal cigarettes) of respondent's court, the evidence shows that he failed to impose subsidiary imprisonment on one of the two accused for failure to pay the fine imposed by the Internal Revenue Code. The investigation report found that, in the decision dictated by respondent in open court, he provided for subsidiary imprisonment, but he reconsidered the decision by omitting the provision. This actuation is explained by respondent as follows:

(1) Because the fiscal himself or his office has not been recommending, much less insisting on, such subsidiary imprisonment in smuggling cases (Exhibits "31" and "31-A") in the Court of First Instance or in the respondent's Municipal Court, like the instant Ladion case (Exh. "A").

(2) The only commentary on subsidiary imprisonment readily available to the respondent as trial judge was Padilla's "Criminal Law," 1947 Edition, wherein an apparently sweeping topic-statement is found: "No subsidiary imprisonment for offenders penalized by special law (see Art. 10)" as if this was the general rule.

(3) Because of the seeming stand of the Judicial Conference at the U.P. Law Center, per the official lecturer Judge Arsenio Solidum, that the imposition of subsidiary imprisonment is discretionary, not mandatory, upon the courts.

(4) The principle in criminal law that in case of doubt, the doubt should be resolved in favor of the accused; and

(5) Because accused Ladion had been detained in jail pending trial for nearly six months.

These arguments are untenable. Section 353 of the National Internal Revenue Code clearly provides for subsidiary imprisonment in case the person convicted for violation of the provisions of said Code is unable to pay the fine imposed upon him in the judgment.

In connection with the same criminal case, the investigating Judge likewise found the proceedings unduly delayed by numerous postponements, as a result of which the case against one of the two accused had not been terminated as of March 16, 1967, although the case was filed as early as July 30, 1964. This finding is supported by the evidence, which shows that respondent invariably

granted the requests for postponement made by the prosecution instead of insisting, as was his duty, on the expeditious termination of the case. Respondent's actuation clearly indicates deliberate disregard of the requirements of the law or intentional attempt to favor one party to the prejudice of the accused.

As regards the other charges against respondent, I find no necessity of discussing them any further inasmuch as the above serious offenses of gross abuse authority, ignorance of the law, unbecoming conduct and negligence committed by him are more than sufficient to warrant his dismissal from office.

WHEREFORE, Mr. Eligio C. Dajao is hereby removed from office as municipal judge of Oroquieta, Misamis Occidental, effective upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 156
PROVIDING GUIDELINES FOR THE BOARDS AND MANAGEMENT OF GOVERNMENT-
OWNED OR CONTROLLED CORPORATIONS IN THE PERFORMANCE OF THEIR
FUNCTIONS.

WHEREAS, government-owned or controlled corporations have been organized to effectively contribute to the economic development of the country, particularly in those areas where the Government, by itself, has been found rather inadequate;

WHEREAS, the functions of the Board of Directors of government-owned or controlled corporations are primarily to formulate and determine corporate policies;

WHEREAS, the performance of government-owned or controlled corporations have, in some cases, been discovered as being hampered by the active participation of members of the Board of Directors in the day-to-day operations and activities of their respective corporations;

WHEREAS, such acts encroach upon the proper functions of Management and tend to create confusion and friction between Board and Management;

WHEREAS, a harmonious relationship between Board and Management would be most conducive to the implementation and achievement of the respective pre-determined goals of government-owned or controlled corporations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby promulgate the following guidelines, for the proper observance of Boards of Directors and Managements of all government-owned or controlled corporations:

1. The Board is a policy-determining body and shall provide only major guidelines for Management to carry out administrative responsibility for the corporation. As such, it should limit itself to policy matters and major corporate decisions along the following areas of responsibility, in addition to the functions enumerated in, and provided that these do not contravene, the respective corporate charters.

a. To draw up broad policies of the corporation which shall serve as guideposts for the operation of Management;

b. To appoint, remove for cause, and fix the compensation of the General Manager, Assistant General Manager and departments heads, and to assess their performance, as may be allowed by applicable law;

c. To safeguard corporation assets, and approve issues of securities, pledge of assets and conveyance of properties;

d. Upon recommendation of the General Manager, to approve important financial matters such as budgets, supplementary appropriations, award of contracts and financial audits;

e. To delegate special powers to sign contracts, open bank accounts, sign checks and such other activities as may require its approval.

2. Subject to the provisions of the respective charters of the corporations, the Board shall limit the frequency of its regular and special meetings to such number as is really necessary or required by the exigencies of its functions.

3. The Board should act as a body collectively and not individually, its responsibility being along specific areas of guidance, policy determination, review and consideration of action taken by management, or formulation of judgment on management performance, and taking such corrective action with respect to certain actuations previously pursued, as may be necessary or advisable.

4. Board members, as such, shall not represent the corporation in transaction with third parties nor should they concern themselves with day-to-day detailed business operations and activities of the corporation.

5. Management, through a regular system, must provide the Board with continuing information and data to enable the Board to exercise intelligently its policy-making powers as well as its other functions.

As used herein, the term “Board of Directors” or “Board” shall also refer to its equivalent in other government-owned or controlled corporations, such as the Commission, Board of Governors, Board of Trustees, and the like.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **RAFAEL M. SALAS**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). [*Administrative Order Nos.: 1 - 199*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 157
SUSPENDING MR. FELIZARDO L. ESPINO FROM OFFICE AS ASSISTANT CITY FISCAL OF
ROXAS CITY.

This is an administrative proceeding instituted by Felicisimo Besana against Assistant City Fiscal Felizardo L. Espino of Roxas City for “partiality, ignorance of the law, and shielding criminals from being charged with the proper offense.”

The record shows that on July 1, 1966, Felicisimo Besana filed a criminal complaint with the City Fiscal’s office charging one Juanito Barza with physical injuries. Attached to the complaint was a medical certificate signed by Dr. Herman D. Dorado, dated July 1, 1966, describing the injuries of Besana and stating that they would heal in 7 to 9 days.

The City Fiscal assigned the case to the respondent. In the investigation, the counsel for the offended party presented another medical certificate, also issued by Dr. Dorado, wherein he stated that Besana’s injuries would heal in 12 to 14 days. The physician admitted on the witness stand that the second certificate was actually issued on July 14, 1966, when Besana’s injuries were already “completely healed,” but he still placed the date as July 1, 1966, because he considered it as an amendment of the first.

Assistant Fiscal Espino filed an information for slight physical injuries based on the first medical certificate. The complainant believes the charge should have been for less serious physical injuries, with certain aggravating circumstances.

In his answer, the respondent maintained that the first medical certificate was more reliable than the second for being “spontaneous”, and further, that the complainant suppressed evidence by presenting only the second medical certificate.

A perusal of the stenographic transcript reveals that Dr. Dorado had the hospital chart of Besana when he was on the witness stand and identified the second medical certificate issued on July 14, 1966 (altho he still dated it July 1, 1966), stating that Besana’s injuries “would heal in 12 to 14 days.” By Dr. Dorado’s admission, Besana’s injuries had completely healed when he issued that certificate. Mr. Espino was therefore in an excellent position to press the physician to give a definite and categorical answer on the exact number of days of treatment and, on the basis thereof, to file the corresponding information, but he failed to do so.

Moreover, there was reason to consider treachery as an aggravating circumstance because although the attack was frontal, it was sudden and, therefore, deprived the offended party of an opportunity to defend himself. Even drunkenness could have been taken into account since the accused was admittedly smelling of liquor.

Upon the foregoing, respondent is found guilty of serious dereliction of duty.

Wherefore, Mr. Felizardo L. Espino is hereby suspended from office as Assistant City Fiscal of Roxas City for a period of six (6) months without pay, effective upon receipt of a copy of this order, with a warning that repetition of similar act will be dealt with more severely.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 158
REMOVING MR. ARTURO M. GLARAGA FROM OFFICE AS MUNICIPAL JUDGE OF TALISAY,
NEGROS OCCIDENTAL.

These are two administrative cases against Municipal Judge Arturo M. Glaraga of Talisay, Negros Occidental, filed respectively by Lt. Alexander P. Aguirre of the Constabulary and by Mayor Mario Lizares. These cases were investigated by District Judge Jose F. Fernandez, the Aguirre complaint being docketed as Administrative Case No. 84, while that of Lizares as Administrative Case No. 85.

The charges in Administrative Case No. 84 are:

1. That in Criminal Case No. 2519 respondent acquitted the accused of smuggling although the latter was caught in possession of 91 cartons of untaxed blue seal cigarettes;
2. That he decided the said case on November 8, 1966, although he was on leave of absence from November 2 to 15, 1966; and
3. That in Criminal Case No. 2372 for unlawful possession of untaxed cigarettes respondent arbitrarily fined the accused without any trial and without giving a receipt for the amount paid to him.

Respondent answered the charges as follows:

1. That he correctly decided the case on the ground (a) that the cigarettes were seized without a search warrant, (b) that the Constabulary did not notify the local police of its plan to apprehend the accused, and (c) that the confession of the accused was not voluntary;
2. That he decided the case although he was on leave because he wanted to unclog his docket and because he feared that the acting Judge was not familiar with the case; and
3. That he did not receive any amount from the accused because the case was still pending.

In Administrative Case No. 85 the charges are:

1. That respondent held office in his residence from April 28 to May 17, 1967, instead of going to his office in the municipal building.
2. That he tried and decided two criminal cases in his residence on May 11 and 15, 1967, respectively.
3. That he failed to submit to the Court of First Instance his monthly reports for 1958 and from 1960 to 1967.

These charges were answered as follows:

1. That respondent held office in his residence because of his failing health, aggravated by the extreme heat and lack of equipment in his office in the municipal building;

2. That the two cases mentioned were decided in order to give a speedy trial to the accused, who were detention prisoners, they having informed him that they desired to plead guilty; and

3. That respondent always promptly submitted his yearly report to the Department of Justice through the Court of First Instance from 1946 to the present.

With respect to the first charge in Administrative Case No. 84, respondent's decision tends to show that his judgment of acquittal was rendered in the face of evidence establishing the guilt of the accused. The report of the investigating Judge thus finds: "Although there was no record of the trial, it appears from the decision, Exh. 'C', that sufficient evidence existed on which to base a finding of guilt." Even if respondent correctly found that the confession of the accused was not voluntary, there were prosecution witnesses who testified that untaxed cigarettes were found in the possession of the accused.

According to respondent's decision, the testimony of the accused and two witnesses tended to prove that the evidence against the accused was fabricated. This point, however, is not developed in the findings of the decision, which dwells instead on collateral matters. The irregularity justifies the investigation report in the following observation: "The acquittal of Hector Jolabar, in spite of the evidence, was not only a black eye upon the image of Justice but a painful setback on the Administration's efforts to eradicate smuggling."

The respondent admits that he decided the case although he was on leave of absence, as alleged in the second charge. As concluded, therefore, by the investigating Judge, "the evidence tends to establish the fact that the respondent in Criminal Case No. 2519 had been unduly interested in favor of the accused, Hector Jolabar, who was eventually acquitted." The investigation report correctly points out why respondent's explanation is not satisfactory, as follows:

"The Court is not impressed with the explanation given by the respondent. If it was his desire to unclog his docket, he should not have taken a leave of absence at all, and then to interrupt his leave of absence for the sole purpose of trying Criminal Case No. 2519 and nothing else, after which Hector Jolabar was acquitted. It is quite clear that respondent interrupted his leave of absence and tried Criminal Case No. 2519 because of his interest therein to save the neck of Hector Jolabar as in fact Jolabar was acquitted in his decision, Exh. 'C'."

On the third charge, Mamerto Paguio, the accused in Criminal Case No. 2372, testified that he pleaded guilty and was fined ₱20 by respondent; that of this amount he paid ₱12 to respondent; and that the balance was collected by respondent's brother. At the same time, the record of the case shows that it has remained pending since it was filed on August 2, 1965. Neither has it been shown that any fine was paid in the case to the proper authorities.

The failure to act on the case for an unduly long period of time, as admitted by respondent, tends to bear out the testimony of the accused that the same was settled by the respondent on terms favorable to the accused as well as to respondent, the offense charged being punishable by a fine of not less than ₱200 and imprisonment for not less than four months. The evidence thus supports the investigating Judge in the following conclusion: "In Criminal Case No. 2372, People vs. Paguio, the evidence shows that respondent sold the case out for only ₱20 as if it were his own chattel and what is worse, the respondent has not accounted for the fine until now."

In Administrative Case No. 85 respondent admits the charge that he held office in his residence from April 28 to May 17, 1967. This irregularity was not satisfactorily explained by respondent, as pointed out by the investigating Judge when he states:

“It is readily discernible that although the respondent’s house in Exh. ‘18’ is more artistic than his office, photo Exh. ‘19’ nevertheless, it cannot be denied that the latter is more formal and respectable in atmosphere. Another photograph, Exh. ‘2’, photo of Talisay Municipal Court in session, clearly shows that said Court is adequate and can compare favorably with any other municipal courts. Besides, Sec. 77, Judiciary Act of 1948, expressly provides:

‘x x x justice of the peace shall be present at least four hours on each business day in his office or at the place where his court is held; x x x.’

“If respondent believes that his office in the municipal building of Talisay is unsuited or harmful to his health, it is for him to inform the proper authorities and request for another office of his liking, and the proper authority is not the Mayor of Talisay who, he believes, is not sympathetic with him.

“It appears that no such request was made. Instead, the respondent took it upon himself to observe office hours in his private house without previous consultation and consent of the proper authority, which act is clearly against the law.”

The evidence on the second charge shows that respondent promulgated in his house two decisions in criminal cases, one dated May 10, 1967, and the other dated May 15, 1967, both of which sentenced the accused to imprisonment on their plea of guilty. This actuation was highly irregular, as the investigating Judge demonstrated, thus:

“A decision in criminal cases, regardless of whether it was prompted by a plea of guilty or otherwise, is an important official act that must be promulgated in the courtroom or public office of the respondent. Imagine the public consternation and untold implications, unsavory or otherwise, that might arise if the Judge of a Court of First Instance, or Justice of the Court of Appeals, or of Supreme Court would promulgate their decisions in their respective residences instead of doing so in their own courts.

“This Court finds that it is highly improper for the respondent to promulgate his decisions, marked Exhs. ‘A’ and ‘B’, in his private house.”

The third charge is proven by a certificate of the Clerk of Court, Court of First Instance, that respondent has not submitted his monthly reports for the year 1958 and for the years from 1960 to the present.

In the two administrative cases, therefore, the evidence proves respondent to be guilty of (1) partiality in acquitting the accused in Criminal Case No. 2519 notwithstanding the evidence of his guilt, to the extent of deciding the case although he was on leave of absence; (2) dishonesty in failing to account for the fine paid by the accused in Criminal Case No. 2372; (3) improper conduct in holding office in his residence from April 28 to May 17, 1967, promulgating two decisions in criminal cases; and (4) gross dereliction of duty in failing to submit his monthly reports to the Court of First Instance for 1958 and for 1960 to the present.

WHEREFORE, respondent Arturo M. Glaraga is hereby removed from office as Municipal Judge of Talisay, Negros Occidental, effective upon receipt of a copy of this order.

Done in the City of Manila, this 18th day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 159

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 37 DATED MARCH 13, 1967,
AS AMENDED BY ADMINISTRATIVE ORDER NO. 58 DATED MAY 28, 1967 AND
ADMINISTRATIVE ORDER NO. 135 DATED AUGUST 1, 1968, ENTITLED “CREATING THE
UPPER PAMPANGA RIVER PROJECT COORDINATING COMMITTEE”.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby further amend Administrative Order No. 37 dated March 13, 1967 as amended by Administrative Order No. 58 dated May 28, 1967 and Administrative Order No. 135 dated August 1, 1968, creating the Upper Pampanga River Project Coordinating Committee, by reconstituting its membership and redefining its functions as follows:

The Administrator, National Irrigation Administration.....	Chairman
The General Manager, National Power Corporation	Member
The Director, Bureau of Public Works	Member
The Executive Director, Rice and Corn Production Coordinating Council	Member
The General Manager, National Waterworks and Sewerage Authority	Member

The Coordinating Committee is empowered:

1. To assist and advise the designated implementing agency in the negotiation for loans to finance the multi-purpose project;
2. To assist and advise the implementing agency in everything necessary and expedient for the early completion of the project;
3. To prepare the definite project report including allocation of cost;
4. To recommend to the President policies, rules and regulations that will govern the proper operation of the multi-purpose system after the completion of the project including the powers, functions and responsibilities of each participating agency, subject to the provisions of applicable law and/or agreements with the project financing institutions;
5. To call upon any office of the government or any government controlled corporation for cooperation and assistance; and
6. To submit quarterly progress report to the President.

Done in the City of Manila, this 18th day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 160

DIRECTING ALL DEPARTMENTS, BUREAUS, OFFICES AND OTHER AGENCIES OF THE GOVERNMENT TO EXTEND THE MAXIMUM COOPERATION AND ASSISTANCE TO THE BOARD OF INVESTMENTS IN THE IMPLEMENTATION OF REPUBLIC ACT 5455 AND THE RULES PROMULGATED THEREUNDER.

1. All departments, bureaus, offices and other agencies of the government, particularly those charged with the registration or licensing of persons and entities for the purpose of doing business or engaging in any economic activity in the Philippines, are hereby directed to extended the maximum cooperation and assistance to the Board of Investments and other government agencies involved in the implementation of Republic Act 5455 and the rules issued or to be issued by the Board of Investments thereunder, and to observe the injunction in Section 6 of said law that –

“No agency, instrumentality or political subdivision of the Government shall take any action in conflict with or which will nullify the provisions of this Act, or any certificate or authority granted thereunder.”

2. To insure compliance with the foregoing, every government, bureau, office or agency authorized to register or issue specialized or general licenses for the purpose of doing business or engaging in any economic activity in the Philippines, except banking, shall inform itself of the provisions and operation of Republic Act 5455 and its implementing rules, and appoint a responsible officer thereof to conduct liaison work with the Board of Investments.

3. In accordance with Section 4 of Republic Act 5455 and its implementing rules, and except as otherwise therein provided, no officer or employee of any department, bureau, office or agency of the government shall allow the following persons and entities to do business or engage in any economic activity in the Philippines, or register, license or permit any of them to do so without first securing a written certificate or authority from the Board of Investments:

- a. Aliens;
- b. Partnerships, corporations and other business organizations formed, organized, chartered or existing under any laws other than those of the Philippines;
- c. Domestic entities which are not Philippine nationals; and
- d. Domestic entities more than 30% of the outstanding capital of which is owned or controlled by aliens.

For purposes hereof, “Philippine national” in general refers to a citizen of the Philippines; or a partnership or association wholly owned by citizens of the Philippines; or a corporation organized under the laws of the Philippines of which at least 60% of the capital stock outstanding and entitled to vote is owned and held by citizens of the Philippines; or a trustee of funds for pension or other

employee retirement or separation benefits, where the trustee is a Philippine national and at least 60% of the fund will accrue to the benefit of Philippine nationals.

4. Upon its own initiative or upon the request of the Board of Investments, every government department, bureau, office or other agency shall furnish said Board with such information or data as may be necessary for the effective enforcement of Republic Act 5455, its implementing rules and the decisions of the Board of Investments with respect thereto, and shall perform such other acts within the scope of its authority toward that end.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 161

**DIRECTING ALL LOCAL GOVERNMENT OFFICIALS TO EXTEND THE MAXIMUM
COOPERATION AND ASSISTANCE TO THE BOARD OF INVESTMENTS IN THE
IMPLEMENTATION OF RA 5455 AND THE RULES PROMULGATED THEREUNDER**

1. All officials and instrumentalities of local governments, particularly the city and municipal mayors and such other local government officials charged with the registration or licensing of persons and entities for the purpose of doing business anywhere in the Philippines, are hereby directed to extend the maximum cooperation and assistance to the Board of Investments and other government agencies involved in the implementation of RA 5455 and the rules issued or to be issued by the Board of Investments thereunder, and to observe the injunction in Section 6 of said law that –

“No agency, instrumentality or political subdivision of the Government shall take any action in conflict with or which will nullify the provisions of this Act, or any certificate or authority granted thereunder.”

2. To insure compliance with the foregoing, local government officials shall inform themselves of the provisions and operation of RA 5455 and its implementing rules, and seek clarification of any question thereon from the Board of Investments.

3. In accordance with Section 4 of RA 5455 and its implementing rules, and except as otherwise therein provided, no local government official or employee shall allow the following persons and entities to do business or engage in any economic activity in the Philippines, or register, license or permit any of them to do so without first securing a written certificate or authority from the Board of Investments:

- a. Aliens;
- b. Partnerships, corporations and other business organizations formed, organized, chartered or existing under any laws other than those of the Philippines;
- c. Domestic entities which are not Philippine nationals, and
- d. Domestic entities more than 30% of the outstanding capital or benefits, where the trustee is a Philippine national and at least 60% of the fund will accrue to the benefit of Philippine nationals.

4. Local government officials shall, at their own initiative or upon the request of the Board of Investments, investigate and report to the latter violations of Republic Act 5455 and its implementing rules, and perform such other acts within the scope of their authority to help ensure the effective and efficient enforcement of the said law and rules and the decisions of the Board of Investments with respect thereto.

5. Within ninety (90) days from the date of this Order, the Treasurer of every city and municipality shall submit a report through the Secretary of Finance to the Board of Investments setting forth the names of the persons and entities engaged in business within his jurisdiction, the dates they were licensed to do so, and the specific lines of business in which said persons or entities are engaged, appropriately classified on the basis of specific economic activities.

6. On or before the end of February of each year, a similar report duly updated shall be submitted by the Treasurer of every city and municipality to the Board of Investments through the Secretary of Finance setting forth the data specified above as of the end of the preceding year. The Secretary of Finance shall take such measures as may be necessary to ensure compliance with this and the preceding paragraphs.

7. Applications to be filed with the Board of Investments for certificate or authority to do business or engage in any economic activity in the Philippines may be filed with the Treasurer of the city or municipality in which the economic activity is proposed to be undertaken, and the latter shall forward the applications to the Board of Investments.

8. Failure to comply with this Order shall be administratively dealt with, without prejudice to the criminal liability of the official responsible therefor.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 162
CREATING A SPECIAL INVESTIGATION TEAM FOR THE RICE AND CORN
ADMINISTRATION.

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create and constitute a special investigating team for the Rice and Corn Administration, to be composed of the following:

Representative of the Department of Justice -----	Member
Representative of the National Bureau of Investigation -----	Member
Two representatives of the Criminal Investigation Service,	
Philippine Constabulary -----	Members

The team shall be assigned to the Rice and Corn Administration and shall investigate any and/or all matters assigned to said team from time to time by the Chairman-General Manager of the Rice and Corn Administration.

The team shall have the power to issue subpoena and subpoena duces tecum, summon witnesses, administer oaths, take testimonies and otherwise exercise all the powers prescribed under Section 71 and 580 of the Revised Administrative Code.

The members of the team shall be entitled to such allowable allowances and per diems as an exception to Memorandum Circular No. 108, series of 1968, chargeable against the Rice and Corn Administration.

All departments, bureaus, offices and agencies of the government, including government-owned or controlled corporations and local government entities shall extend assistance to the team whenever such assistance is sought in the discharge of the team's function.

Done in the City of Manila, this 7th day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 163

**CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF LANA DEL NORTE AND ZAMBOANGA
DEL SUR.**

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of the boundary line between the provinces of Lanao del Norte and Zamboanga del Sur with a view of determining its true and correct location, composed of the following:

Director, Bureau of Coast & Geodetic Survey	Chairman
District Land Officer of Lanao del Norte	Member
District Forester of Lanao del Norte	Member
Highway District Engineer of Lanao del Norte	Member
District Land Officer of Zamboanga del Sur	Member
District Forester of Zamboanga del Sur	Member
Highway District Engineer of Zamboanga del Sur	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its task.

The Committee shall submit to this Office a report of its accomplishments together with its recommendation within a period of ninety (90) days from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the provinces of Lanao del Norte and Zamboanga del Sur.

Done in the City of Manila, this 11th day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 164
CREATING A SPECIAL COMMITTEE FOR STUDENT AFFAIRS IN THE
UNIVERSITY OF THE PHILIPPINES (UP)

WHEREAS, it is important that the University of the Philippines (UP), as the premier government institution of higher learning in this country, should provide the leadership in dealing with problems arising out of student's complaints, grievances and demands;

WHEREAS, in order to realize this worthy objective, it is vital that the officials of the government as well as of the University administration should continually be in contact with the students, through their organizations and leadership, and be made aware of their problems by means of dialogue and discussion with the end in view of arriving at solutions thereto through consensus and mutual agreement;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, and conscious of my duties and responsibilities as head of the Board of Visitors of the University of the Philippines, do hereby create and constitute a Special Committee for Student Affairs in the University of the Philippines which shall be composed as follows:

RAFAEL M. SALAS, Executive Secretary.....	Chairman
JUAN MANUEL, Undersecretary of Education	Member
RAOUL INGLES.....	Member
HORACIO MORALES, JR.....	Member and Action Officer

The Committee shall also have as members the President of the UP Student Council and three (3) other representatives therefrom who shall be selected by the Council.

It shall be the responsibility of the Committee to meet with the students and discuss problems of mutual concern as well as national issues affecting the students, and study, propose, formulate and/or provide solutions therefor or recommendations thereon.

All departments, bureaus, offices and agencies of the government, including government-owned and controlled corporations are hereby directed to extend and render assistance to the Committee whenever the same is needed.

Done in the City of Manila, this 13th day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 165

February 15, 1969

CREATING A COMMITTEE TO STUDY THE POSSIBLE ESTABLISHMENT OF A STUDENT
LOAN FUND.

Note: Withdrawn by PFM.

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 166
CREATING THE EXECUTIVE COMMITTEE FOR THE FIRST FAR EAST CONFERENCE ON
AGRICULTURAL CREDIT AND COOPERATIVES

WHEREAS, the Sixth Far East Agricultural Credit and Cooperative Workshop held in Bangkok, Thailand on March 10-22, 1968, accepted the invitation of the Philippine Government through its delegation to meet in the Philippines in 1970, with the Government of the Republic of the Philippines serving as host country to the First Far East Regional Conference on Agricultural Credit and Cooperatives.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create an Executive Committee for the First Far East Conference on Agricultural Credit and Cooperatives composed of the following:

- | | |
|---|----------|
| 1. Honesto O. Francisco | |
| Director, Dept. of Rural Banks | |
| Central Bank of the Philippines..... | Chairman |
| 2. Emilio P. Salvatierra | |
| Manager, Agricultural Department | |
| Development Bank of the Philippines..... | Member |
| 3. Nicolas S. Fernandez | |
| Vice-President, Philippine National Bank..... | Member |
| 4. Mariano E. Gimenez | |
| Assistant Director, Dept. of Rural Banks | |
| Central Bank of the Philippines..... | Member |
| 5. Amado Lansang | |
| Assistant Administrator, Agricultural Credit Administration | Member |
| 6. Romeo M. Liamzon | |
| Director, Rural Bankers Association of the Philippines | Member |
| 7. Cesar S. Arnaldo | |
| President, Rural Bankers of the Philippines..... | Member |
| 8. Solomon G. Cabrera | |
| Manager, Credit and Cooperative Department | |
| Agricultural Credit Administration | Member |
| 9. Francisco Saguiguit | |
| Commissioner, Agricultural Productivity Commission..... | Member |
| 10. Rafaelita Soriano | |
| Assistant Secretary, U.N. Affairs and International Conferences, | |
| Department of Foreign Affairs | Member |

-
11. Vicente U. Quintana
Director, Agricultural Credit and Cooperatives Institute,
University of the Philippines..... Member

The Committee shall be responsible for the planning, organizing, directing and coordinating of all activities connected with the conference.

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government owned or controlled corporations, for assistance as it may need in discharging its functions.

Done in the City of Manila, this 22nd day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 167
REMOVING MR. SAMUEL B. CARIN FROM OFFICE AS ASSISTANT PROVINCIAL
FISCAL OF CEBU.

This is an administrative case filed by Mrs. Felisa C. Evangelista against Assistant Provincial Fiscal Samuel B. Carin of Cebu for conduct unbecoming a public official and unjust vexation, which was investigated by Assistant Chief State Prosecutor Florentino A. Flor.

The record reveals that respondent, a married man with two children, had been courting for four years complainant's daughter, Alicia Evangelista, a teacher in the College of Liberal Arts of the University of Southern Philippines and a law student at the Colegio de San Jose in Cebu City. In 1965 and 1966 respondent wrote her several love letters (Exhs. A, B, C and D) and dedicated a poem to her (Exh. E). Almost every day within said period he had been going to said university and college during office hours, sometimes entering her classroom and insisting on talking to her, despite her repeated refusal to entertain his advances. When respondent was barred from entering the premises of the schools by the authorities thereof because of his conduct, he would wait for her until her dismissal and thereafter accost her and make vehement avowals of his affection. Everytime he saw her on the streets of Cebu City, he would follow and pester her with his protestations of love to the utter embarrassment of Miss Evangelista.

The record further reveals that in the evening of January 17, 1968, when Miss Evangelista, accompanied by her boy friend, boarded a public vehicle on her way home after her classes at the Colegio de San Jose, respondent suddenly jumped into the same vehicle and insisted on sitting beside her, thereby causing scandal among the passengers. Miss Evangelista and her companion then alighted and hired a taxi, but respondent followed them and forced himself into the taxi, and Miss Evangelista's sweetheart had to pull him out therefrom.

On February 20, 1968, while Miss Evangelista and her lover were waiting for a taxi, respondent approached the latter and, without any provocation, grabbed his shirt and boxed him, as a consequence of which his shirt pocket was torn and he suffered slight physical injuries. In the latter part of June 1968 respondent surreptitiously entered the classroom of Miss Evangelista at the Colegio de San Jose and insisted on talking to her. When she attempted to leave, respondent blocked her way and it was only through the intervention of some students that she was saved from further molestation.

During the investigation, respondent contended that the acts imputed to him as vexatious and unbecoming were not really immoral nor improper, in view of his honest intentions to Miss Evangelista whom he described as "the most beautiful and most desirable woman." He admitted having gone to the University of Southern Philippines during office hours to visit her, but claimed that it was done during his free time when he had no cases to attend to and always with the permission of his chief, the Provincial Fiscal. He denied having boxed Miss Evangelista's boy friend or torn the pocket of his shirt, alleging that it was the latter who tore his pocket. Finally, respondent claimed that he considered himself "not any more married" because he was living separately from his wife.

The behavior of respondent clearly transcends the bounds of propriety. It was a scandalous and shameless disregard of elementary decency and decorum unexpected of an official holding such a high and responsible position. By his conduct he has brought dishonor to himself and disrepute to his office, thus proving himself unfit and unworthy for the distinguished calling of a government prosecutor.

Wherefore, and upon recommendation of the Secretary of Justice, Mr. Samuel B. Carin is hereby removed from office as assistant provincial fiscal of Cebu, effective upon receipt of a copy hereof.

Done in the City of Manila, this 24th day of February, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 168
SUSPENDING MR. RICARDO P. ESCUETA FROM OFFICE AS ASSISTANT CITY
FISCAL OF QUEZON CITY.

This is an administrative proceeding instituted by Atty. Eduardo M. Albano against Assistant Fiscal Ricardo P. Escueta of Quezon City for gross incompetence and ignorance of the law. The case was formally investigated by State Prosecutor Joel P. Tiangco.

It appears that on May 27, 1967, a complaint for slander by deed was filed before the Quezon City Fiscal's Office by Araceli Pascua, a housemaid, against Patrolman Elpidio Albano (brother of complainant in this administrative proceeding) for having allegedly slapped her face several times the day previous, that is, on May 26, 1967. The case, docketed as I.S. No. 5878, was assigned to the herein respondent fiscal for preliminary investigation. On November 16, 1967, after Araceli Pascua had rested her case, counsel for Patrolman Albano moved to dismiss it on the ground that the crime of slight slander, which had been proven, had already prescribed, two months having elapsed since its commission. Respondent denied the motion. On November 20, 1967, Albano filed a motion for reconsideration, which was also denied.

In the morning of November 24, 1967, counsel for Patrolman Albano filed a motion to dismiss the case, contending that the crime of grave slander by deed had already prescribed with more than six (6) months having elapsed since its commission on May 26, 1967. Without resolving the motion, respondent filed an information with the Quezon City Court in the afternoon of November 24, 1967, charging Elpidio Albano with grave slander by deed and the same was docketed as Criminal Case No. I-132192.

The information, however, had not been approved by the City Fiscal as required by paragraph 3, Section 1 of Republic Act No. 5180 which provides that "no assistant fiscal or state attorney may file an information except with the prior authority or approval of the city or provincial fiscal or state attorney and only in a case in which he himself conducted the preliminary investigation."

It further appears that Patrolman Albano moved to quash Criminal Case No. I-132192 on the ground (1) that the crime had already prescribed and (2) that no prior approval by the City Fiscal was secured before the information was filed. The motion bore the conformity of Assistant Fiscal Primo Wisco, trial fiscal in Branch I, Quezon City Court, to whom the case had been assigned for trial. Notwithstanding that he had no official standing to intervene in the prosecution of the case, respondent filed an opposition thereto. After due hearing, the City Judge dismissed the information on January 13, 1968. Despite all the foregoing, respondent on January 24, 1968, again issued a subpoena under I.S. No. 5878 requiring Elpidio Albano to appear for investigation on February 2, 1968.

On February 9, 1968, respondent filed a notice of appeal from the order of the City Court dated January 13, 1968, and the record of Criminal Case No. I-132192 was forwarded to the Supreme Court and docketed as G.R. No. L-28690, entitled "People of the Philippines vs. Elpidio Albano." The Office of the Solicitor General, representing the appellant, filed a motion to dismiss on the ground that the crime had already prescribed, 182 days having elapsed counting from the day following the

commission of the crime on May 26, 1967, to the filing of the information on November 24, 1967, when it should have been filed in six months or 180 days. In a minute resolution issued on April 24, 1968, the Supreme Court dismissed G.R. No. L-28690.

Respondent's explanation that he prepared the information in the honest belief that the prescriptive period had not then expired because six (6) months from May 26, 1967, would fall on November 26, 1967, is unsatisfactory. He should know that, in *People vs. Del Rosario* (97 Phil. 67), the Supreme Court ruled that under Article 3 of the Civil Code a month is understood as containing 30 days. Accordingly, six (6) months from May 26, 1967, would be on November 22, 1967. Hence, the filing of the information for grave slander by deed on November 24, 1967, was two days late. This was the same view of the Solicitor General, which the High Court upheld. While respondent may be correct in saying that lawyers and judges could differ in the interpretation of knotty legal questions, the same does not hold true in this case, as the Supreme Court had already spoken.

On the matter of the filing of the information without the approval of the City Fiscal, respondent contended that he entrusted the matter to his secretary-stenographer who, under the practice of the office, brings it to a clerk of the City Fiscal who takes charge of having it approved or disapproved and of filing it in court. In the investigation, it was shown that the clerk, Virgilio del Mundo, was the one who brought the case to the City Court without the required approval because, according to him, City Fiscal Justiniano Cortez and Fiscal Miguel Halili Jr., acting chief of the Fiscal's Office investigation division, were already out and he was afraid that the case might prescribe if he did not file it that same afternoon.

Respondent's explanation, on its face, appears to be satisfactory, except that knowing that he signed the information in the last hours of the day he thought the offense would prescribe, he should have inquired whether or not the information was approved by the City Fiscal before the same was filed as required by Republic Act No. 5180. Considering the requirements thereon of said law, the filing of an information in court, while perhaps mechanically the function of a clerk or a messenger, is the prime responsibility of the fiscal. Moreover, when in the quashal motion the fact of lack of approval of the information was raised, respondent could have corrected the error by securing the required authority but he failed to do so.

But the most serious aspect of the case is when respondent on January 24, 1968, issued another subpoena under I.S. No. 5878 requiring Elpidio Albano to appear on February 1, 1968, despite the fact that the same case he filed in court had already been dismissed. At this juncture, it may be stated that the moment an information is filed the investigating fiscal loses control of the case, unless he is also the trial fiscal. Respondent tried to justify his action by saying that he wanted to investigate Patrolman Elpidio Albano on the alleged trespass to the dwelling of Mrs. Perla Santillan, the mistress of housemaid Araceli Pascua. It appears, however, that this was a separate complaint and that the same was docketed as I.S. No. 5899, which was dismissed by Assistant City Fiscal Bonifacio D. Tanega on August 31, 1967. Respondent's action was plainly a case of harassment and grave abuse of authority.

Upon the foregoing, respondent is guilty of (1) serious dereliction of duty in filing an information in violation of Republic Act No. 5180 and after the crime had already prescribed; and (2) grave abuse of authority in issuing a subpoena on a case over which he had no more control.

Wherefore, Mr. Ricardo P. Escueta is hereby suspended from office as Assistant Fiscal of Quezon City for six (6) months without pay, effective upon receipt of a copy of this order, with a warning that a repetition of similar acts will be dealt with more severely.

Done in the City of Manila, this 25th day of March, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 169
IMPOSING A FINE ON MUNICIPAL JUDGE JOSE M. GURAY OF LUNA, LA UNION.

This is an administrative case against Municipal Judge Jose M. Guray of Luna, La Union, for abuse of discretion and dereliction of duty, filed by former Municipal Mayor Augusto R. Zambrano of the same town. The case was investigated by the District Judge who found respondent guilty of dereliction of duty.

The records show that by virtue of a complaint filed on September 1, 1964, charging Augusto Zambrano and others with malversation of public funds, respondent issued on the same day a warrant for the arrest of the accused. Despite a certification by the District Judge for service outside the province, as accused Zambrano was residing and working in Manila, the warrant was not served on him until December 24, 1964, when he went home to Luna to visit a dying relative and to spend Christmas with other relatives. Immediately he was detained in the municipal building. A bail bond for his release was promptly prepared, but it could not be approved because respondent resided in San Fernando, La Union, which is about forty kilometers from his station.

Upon receipt of the bail bond the next morning, in his residence, respondent refused to act on the same, as it was holiday (Christmas), despite pleas made to him. However, on December 26, he approved the bond, and only then was Zambrano ordered released.

According to respondent, he did not approve the bond when it was first presented for being defective. If that were so, why did he approve it without any modification when it was again presented on December 26? This only goes to show that his refusal to act on the bond when first presented was because it was a holiday.

Respondent is therefore guilty as charged. Considering, however, his long and satisfactory service in the judicial branch of the Government coupled with the findings of the investigating Judge that his refusal to approve the bail bond when first presented to him on Christmas day was not done in bad faith nor politically motivated, he may be accorded some measure of leniency.

Wherefore, Municipal Judge Jose M. Guray is hereby imposed a fine equivalent to one month's salary, with a warning that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 25th day of March, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 170

FURTHER MODIFYING ADMINISTRATIVE ORDER NO. 147 DATED OCTOBER 26, 1955, AS MODIFIED BY ADMINISTRATIVE ORDER NO. 335 DATED OCTOBER 24, 1960, CONCERNING MR. CELSO AVELINO, FORMER CITY ATTORNEY OF CALBAYOG.

Under Administrative Order No. 147 dated October 26, 1955, Mr. Celso Avelino was removed as city attorney of Calbayog for electioneering, partiality and ignorance of the law. The decision therein removing him from office was subsequently modified by Administrative Order No. 335 dated October 24, 1960, by allowing his reinstatement in the public service, except in the prosecution branch and in the judiciary, at the initiative of the appointing authority.

After a careful restudy of the case based on another petition for reconsideration, I concur with the Secretary of Justice that respondent's separation from the prosecution service in 1955 or more than 18 years ago may be deemed sufficient punishment for the offenses committed. Considering that respondent is a member of the bar and his training and experience are in the judicial branch of the government, it is believed that he should be accorded another chance to serve in the judiciary, the field of service to which his training and experience are most pertinent.

Wherefore, and upon the recommendation of the Secretary of Justice, Administrative Order No. 147 dated October 26, 1955, as modified by Administrative Order No. 335 dated October 24, 1960, is further modified in the sense that the inhibition imposed upon Mr. Celso Avelino to hold a position in the prosecution branch and in the judiciary is hereby removed.

Done in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 171
MODIFYING ADMINISTRATIVE ORDER NO. 70 DATED JUNE 26, 1967, CONCERNING
MUNICIPAL JUDGE ROMEO P. LAURENTE OF MATAG-OB, LEYTE.

This is a petition by Mr. Romeo P. Laurente for reconsideration of Administrative Order No. 70 dated June 26, 1967, removing him from office as Municipal Judge of Matag-ob, Leyte.

After a review of the case, I agree with the Secretary of Justice that there is no sufficient justification for exonerating respondent. However, considering that the investigating District Judge recommended that he be merely reprimanded and warned on the ground that his partiality in Criminal Case No. 95 of his court for estafa was committed through negligence rather than with deliberate intent; and considering further the period that has elapsed since his separation from the service, it is believed that petitioner has been sufficiently penalized.

Wherefore, and upon the recommendation of the Secretary of Justice, Administrative Order No. 70 dated June 26, 1967, is hereby modified in the sense that Mr. Romeo P. Laurente is considered suspended, without pay, during the period that he has been out of the service.

Done in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **RAFAEL M. SALAS**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 172
EXONERATING MR. LEONARDO C. GUTIERREZ, PROVINCIAL TREASURER OF
BATANGAS.

This is an administrative case instituted by Mr. Silvestre D. Florindo, Budget and Fiscal Officer of Batangas, against Provincial Treasurer Leonardo C. Gutierrez of Batangas, for malfeasance, misfeasance, nonfeasance, etc., on fifteen (15) counts allegedly committed by the latter in the performance of his official duties, summarized as follows: violation of Section 2119 of the Revised Administrative Code, as amended by Section 1 of Republic Act No. 1063, by failing to submit on time to the Provincial Governor the certified detailed statements of all receipts and expenditures of the Province of Batangas for certain fiscal years; grave abuse of discretion by certifying the amount of ₱1,029,849.60 as the estimated annual income; incompetence or ignorance for not knowing that the annual budget is the significant tool of management; juggling of funds by making false entries in books of accounts; technical malversation; ignorance of accounting procedure; and other offenses in violation of certain laws.

In the formal investigation conducted by Department of Finance probers, where both respondent and complainant were present or represented during the hearings, the former denied all the charges and successfully showed that there was no bad faith in the entries made in the books of accounts nor was there any violation of existing laws, rules and regulations.

After a careful review of the evidence, oral and documentary, presented by both complainant and respondent, with due consideration of the facts and circumstances appertaining thereto, I agree with the findings of the Department of Finance that there is no sufficient basis to hold respondent guilty of malfeasance, misfeasance and nonfeasance as charged. The bulk of the evidence of complainant consists of bookkeeping entries, which, though public documents, do not in themselves prove any offense committed by the respondent for the following reasons: first, there was no proof submitted that the entries were made without sufficient supporting papers, or that the supporting papers were fraudulent, and hence without due authority; secondly, there was no proof that such entries were made under the direct order of the provincial treasurer; and lastly, there was no proof submitted on actual commission of offenses in connection with said bookkeeping entries which are punishable under our laws.

In view of the foregoing, and upon recommendation of the Secretary of Finance, Provincial Treasurer Leonardo C. Gutierrez is hereby exonerated from the administrative charges against him.

Done in the City of Manila, this 25th day of April, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 173
EXONERATING JOSE C. ORBE AS CHIEF OF POLICE OF ILIGAN CITY.

This is an administrative case against Chief of Police Jose C. Orbe of Iligan City for alleged maltreatment, conduct unbecoming a chief of police, grave abuse of authority and drunkenness filed by Vice-Mayor Gerardo Padilla and Councilors Benito Ong, Providencio Abragan, Manuel Celdran, Edilberto Noel and Bonifacio Legaspi of said city. The case was formally investigated by the Board of Investigators of Iligan City composed of Capt. Romualdo Sanchez, P.C., as Acting Chairman and Councilor Casimiro Cabigon, member. The third member of the Board (City Treasurer Daniel Tuazon) inhibited himself from participating in the hearing of the case because of his close personal relation to respondent.

The charges against respondent chief of police are as follows:

(1) For Maltreatment and Conduct Unbecoming a Chief of Police:

“That on or about December 11, 1965, the aforementioned Chief of Police, while under the influence of liquor and without any provocation boxed and maltreated one Leodegario Cabili; that when one Pat. Camilo Sanchez went near the said Leodegario Cabili, Major Orbe met him with a fist blow and thereafter divested the said Patrolman Sanchez of the latter’s Garand rifle and revolver. At this juncture, one Patrolman Andres Torralba of the Iligan City Police Department tried to pacify the Chief of Police but instead of calming down, the Chief of Police boxed the said Andres Torralba, cocked and pointed his pistol at the latter and thereafter dared Andres Torralba to fight him. All these happened in the presence of many people and in front of the Bascon Hotel in Iligan City which is frequented by many out-of-town guests.

“That in or about July 1962, while Patrolman Marcelo Alfeche of the Iligan City Police Department was on his beat at Quezon Avenue, Iligan City, the Chief of Police, without any provocation on the part of the aforementioned Marcelo Alfeche, with the use of the trench knife, stabbed the said patrolman but luckily he was able to evade the thrust of the knife.”

(2) Grave Abuse of Authority:

“That on or about May 13, 1967, the Chief of Police, Major Jose Orbe, with grave abuse of authority ordered Police Lt. Anselmo Orellana of the Iligan City Police Department, to work for and secure a bail bond for one PC Capt. Hidalgo who was then under arrest by virtue of a duly issued warrant of arrest; that while his order for the preparation of the bail bond was being done he ordered

a Patrolman by the name of Pagaling to buy liquor with which he and the said Capt. Hidalgo drank.”

(3) Drunkenness:

“It is common knowledge that the Chief of Police of Iligan City, Major Jose Orbe, is always drunk even in the performance of his duties; because of this drunkenness, the men under him cannot any more discharge the functions of their offices because whenever he is drunk he manhandles and insults the members of the Police Force of Iligan City.”

The charges were supported by four affidavits signed by Police Lt. Martine Galerio, Pat. Andres Torralba, Pat. Marcelo Alfeche and Lt. Anselmo Orellana which substantially corroborated the allegations therein. It appears, however, that in the formal hearing of the case by the Board of Investigators the complainants were not able to produce any witness including the aforementioned police officers who executed affidavits to support the charges against respondent chief of police despite repeated subpoena issued for their attendance and the fact that the respondent was already under preventive suspension.

Notwithstanding the failure of complainants to prove the charges against respondent, the latter denied all the charges and presented witnesses (Ceferino Dulay, PC Major Efren Asparragoza, Pat. Glicerio Bado, Pat. Elizardo Pagaling, Subaer Ali Pacasum, Provincial Board Member Datu Mitoon Ampang, of Lanao del Norte, Principal Buenaventura Barga Sr. of the Iligan High School, and Maximo Buot, former manager of Bascon Hotel and Cocktail Lounge of said city) who testified to the effect that it was Ceferino Dulay, bondsman of the Central Surety and Insurance Company, who actually procured the bail bond for Lt. Mario Hidalgo (referred as PC Capt. Hidalgo) but Lt. Anselmo Orellana of the Iligan City Police Department acted only as escort or guard for the detainee; that it was respondent who ordered the city jail in-charge on May 14, 1967, to lock in jail Lt. Hidalgo under strict confinement, and that Patrolman Pagaling did not buy liquor but instead was instructed to buy bread and serve coffee to Lt. Hidalgo and his wife; that respondent was never found drunk while in the discharge of his official duties nor did the PC supervising officer of the Iligan Police Department hear of any complaint from any member thereof about respondent’s alleged drunkenness and manhandling of any member of said police force; and that on December 11, 1965, at the Bascon Hotel and Cocktail Lounge no violent accident occurred involving the alleged maltreatment of a certain Leodegario Cabili by respondent nor any trouble between the latter and members of the Iligan Police Force. Leodegario Cabili, who was allegedly maltreated by respondent on December 11, 1965, at the Bascon Hotel, testified in the formal investigation that no such incident transpired between him and respondent and neither was there any violent encounter between the latter and the members of the striking force of the Iligan Police Force. It is noted that none of the alleged victims of abuse or maltreatment mentioned in the charges was a signatory to the complaint, nor was presented as supporting witness in the investigation of the case.

Wherefore, and as recommended by the Board of Investigators and the Police Commission, Chief of Police Jose Orbe of Iligan City is hereby exonerated from the charges against him.

Done in the City of Manila, this 15th day of May, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 174
REMOVING MR. DOMADO ALONTO FROM OFFICE AS CITY TREASURER OF MARAWI.

This is an administrative case filed by Councilors Hadji Mama R. Datu and Hadji Ismael Barodi of Marawi City against City Treasurer Domado Alonto of the same city for maladministration, graft and corruption, misfeasance, favoritism, dishonesty and neglect in the performance of duties, consisting of eleven (11) counts, to wit:

(1) Violation of Section 434 of the Manual of Instructions to Treasurers for tolerating the construction of market stalls in Marawi City without the intervention of his office in spite of the requirement to that effect of City Ordinance No. 657, series of 1967;

(2) Collecting fees on transient goods and parking fees on vehicles despite the nonexistence of any parking lot reserved by the city government for the purpose;

(3) Paying the salaries of eight (8) deputy mayors whose positions were abolished by the City Council under its Resolution No. 41, series of 1967, and notwithstanding the existence of an overdraft of ₱124,041.09 in the general fund;

(4) Disbursing trust and general funds for unauthorized services, in violation of accounting laws and regulations, resulting in overdrafts in the general and trust funds amounting to ₱124,041.09 and ₱39,297.92, respectively.

(5) Non-collection of fees from his delinquent relatives (Hadji Batua Alonto and Sheik Tawagun Alonto) while forcing other taxpayers to pay by persistent demands and/or by complaints filed in court;

(6) Engaging in political activity for having allowed the former City Mayor of Marawi to assign spaces in the bi-weekly market site to persons who had sworn to support the reelection bid of said official;

(7) Appointing his nephew, Salvador T. Alonto, as city cashier and bypassing the employee next in rank in violation of Sections 3, 4, 5 and 6 of Civil Service Rule VII on promotion;

(8) Defying Resolution No. 41, series of 1967, of the City Council by continuously and surreptitiously paying through market collectors the salaries of eight (8) deputy mayors whose items were abolished thereunder;

(9) Refusing to pay the approved salary vouchers of complainant Councilor Ismael Barodi for alleged lack of funds, while paying those of others including a city councilor, the eight (8) deputy mayors, several collectors, etc;

(10) Misappropriating part of the ₱20,000 SWA aid to city fire victims; and

(11) Ignorance of accounting debit and credit symbols.

After a careful review of the records, I agree with the findings of the investigator, the City Treasurer of Iligan, as concurred in by the Secretary of Finance, that Counts 1, 2, 3, 5, 6, 7, 8, 10 and 11 should be dismissed for lack of merit, and that respondent is guilty as regards Counts 4 and 9.

In admitting the existence of the overdrafts in question (Count 4), respondent not only failed to provide concrete solution to the annual financial distress of the city but also made matters worse when he approved the payment of expenses beyond the authorized appropriations and lack of available city funds despite his awareness of the insufficiency thereof. Respondent, by his own admission, violated Section 614 of the Revised Administrative Code which provides that trust funds shall not be paid out of any treasury except in fulfillment of the purpose for which the trust was created or fund received, and upon authorization of the head of Bureau or Office having control thereof. Moreover, there is no evidence that the prior approval of the Secretary of Finance was secured by respondent in the incurrence of the overdrafts in question.

As to Count 9, respondent allowed his personal animosity against complainant Barodi to delay payment of the latter's salaries. The records in respondent's office reveal that payment of complainant's salaries for the months of January and February 1967 were collected by him on July 10, 1967, only, while those for July, August and September 1967 were paid in October of the same year.

In view of the serious nature of the offenses committed by respondent, I am constrained to take drastic action against him.

Wherefore, Mr. Domado Alonto is hereby removed from office as City Treasurer of Marawi, effective upon receipt of a copy of this order.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 175
CREATING A COMMITTEE TO INVESTIGATE THE CHARGES OF THE PROVINCIAL
GOVERNOR OF PANGASINAN AGAINST LICERIO P. SENDAYDIEGO, PROVINCIAL
TREASURER OF THE SAID PROVINCE

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Committee to investigate the charges of the Governor of the Province of Pangasinan against Mr. Licerio P. Sendaydiego, Treasurer of the said province, to be composed as follows:

A representative of the Department of Finance to be designated by the Secretary of Finance	Chairman
A representative of the Department of Justice to be designated by the Secretary of Justice	Member
A representative of the General Auditing Office to be designated by the Auditor General	Member

The Committee shall have the power to summon witnesses, administer oaths, take testimony and otherwise do all things necessary for the conduct of the investigation.

The Committee is hereby empowered to call upon and secure the assistance of any Department, bureau, office or instrumentality of the government, including government-owned or controlled corporation in the execution of its duties and functions.

Done in the City of Manila, this 14th day of July, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) RAFAEL M. SALAS
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 176
SUSPENDING MR. JUAN SALAZAR FROM OFFICE AS PROVINCIAL FISCAL OF THE
PROVINCE OF LAGUNA.

This is an administrative case against Provincial Fiscal Juan Salazar of Laguna who, together with then Third Assistant Provincial Fiscal Eliezer Tengco, was charged with dishonesty, misconduct in office and neglect of duty. The charges were investigated by a special panel created by the Secretary of Justice and composed of the City Fiscals of Baguio and Cabanatuan and the Provincial Fiscal of Bukidnon. Fiscal Tengco having been ordered removed from office in Administrative Order. No. 26 dated November 11, 1966, this decision shall be limited to the case against Provincial Fiscal Salazar, who shall be referred to hereafter as the respondent.

The following facts appear duly established:

On February 23, 1964, at Famy, Laguna, untaxed "Union" cigarettes were confiscated by the Philippine Constabulary. An inventory on the same date, with Tengco as one of the witnesses, was taken wherein it was certified that the catch comprised of 192 cases of genuine blue seal cigarettes (Exh. A). The following day Tengco, having finished the preliminary investigation, filed the criminal information (Exh. T). The cigarettes were then transferred to the BIR Regional Office at San Pablo City, with the BIR administrative officer issuing a receipt therefor stating that the items were genuine blue seal cigarettes (Exh. C).

Upon request of respondent, the BIR on March 25, 1964, transferred the goods to the office of the provincial fiscal of Sta. Cruz, Laguna, ostensibly for the purpose of presenting the same as evidence in the reinvestigation of the case. Reynaldo Cambel, administrative officer of the Provincial Fiscal's Office, was authorized by respondent to take possession of the same. On the way to Sta Cruz, at Magdalena, Cambel, upon prior instigation of the alleged smuggler, Luis Barcelona, together with 18 other persons including members of the police force of San Pablo City, effected a switch, wherein 142 cases of the genuine cigarettes were changed with similar cases containing rice bran or chaff (Exh. II, sworn statement of Cambel). About midnight of April 12, 1964, Cambel effected a second swap in the courthouse at Sta. Cruz where he got 34 cases. This incident was witnessed by the guards and reported to the deputy clerk of court. On the same day, Cambel approached Tengco and confessed the whole affair. Cambel and Tengco then proceeded to Manila to report the matter to respondent.

The reinvestigation of the case against the possessors of the cigarettes by Tengco, although postponed for several times, finally took place on May 5, 1964, and when a second inventory of the cigarettes was taken, it was found out that of the original 9,600 cartons contained in 192 cases only 2,000 cartons distributed among 192 cases were left. The resolution and the amended information (reducing the quantity of the cigarettes from 9,600 to 2,000 cartons and the corresponding value thereof from ₱50,688 to ₱10,500) were then prepared and signed by Tengco and respondent.

From the above facts, grave doubts are entertained as to whether the respondent had prior knowledge and involvement in the substitution and pilferage of the cigarettes. The incriminating

statements against him were mere affidavits, without the affiants having been presented as witnesses. Being hearsay, the same cannot be considered by themselves. Hearsay evidence may be considered in an administrative hearing if it corroborates other competent evidence or if supported by other evidence of recognized probative value (*Lambing vs. Consolidated Coal Co.*, 54 Atl. [2d], 291 Pa. 1947).

While respondent may not have had prior knowledge of any plan to substitute or pilfer the cigarettes, there is proof tending to show that after having learned of the substitution at Magdalena and subsequently at the courthouse, respondent not only failed to discharge his duty as prosecuting officer but performed acts tending to conceal the crime committed, which was intimately related to a more heinous offense – smuggling – against which the government has poured unremitting efforts to effectively minimize if not entirely eradicated because of its pernicious effects on the national economy.

In view of the foregoing, I find respondent guilty of neglect of duty. It appears, however, that respondent Salazar was new in the position of provincial fiscal and a stranger in the place. He evidently tried to please everyone and was not in a moral position to influence Tengco and Cambel, his subordinates, who had known each other for quite a long time and both of whom come from Laguna.

Wherefore, respondent Juan Salazar is hereby suspended from office as Provincial Fiscal of Laguna for a period of three (3) months without pay, with a stern admonition and warning that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 15th day of July, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 177
REPRIMANDING CITY FISCAL LIMPI MACAPUNDAG OF MARAWI CITY.

This is an administrative proceeding instituted by Councilors Hadji Mama Racman Datusamarawi and Hadji Ismael Barodi against City Fiscal Limpi Macapundag of Marawi City for alleged partiality, dereliction and gross irregularities in the performance of his duties. The charges were investigated by Fiscal Luis A. Atanacio of the Department of Justice.

It is alleged that (1) respondent deliberately refused and/or failed to prosecute the arson case involving the burning of the Provincial Capitol Building of Lanao del Sur notwithstanding his knowledge of the identity of the culprits because he “listened to unscrupulous politicians from whom he owed his appointment as fiscal”, (2) he failed to prosecute PC Captain Carlos Lademora and his soldiers who, under the influence of liquor, indiscriminately fired their guns and even maltreated innocent persons; (3) he refused to prosecute a criminal case for violation of Ordinance No. 657 of Marawi City for the reason that the accused were Liberal Party men; (4) he abused his office by “pressuring the complainants into supporting the administration of then City Mayor Macapado Batara”; and (5) he was politically motivated in prosecuting Councilor Barodi for building a residential house without a permit.

Respondent denied the charges in a written answer thereto and in the formal investigation he explained in detail his actuations.

The records show that the arson case was dropped after a preliminary investigation conducted by respondent and Provincial Fiscal Luis D. Manta of Lanao del Sur because immediately after the burning of the capitol building the only material witness, one Gaguil Didao, declared that he did not know who the culprits were, while in later investigations conducted by NBI and CIS agents he implicated different persons in three conflicting statements. In view of the glaring inconsistencies in Didao’s testimony, the same may be considered unworthy of credence, for a testimony to be given credit it is necessary that it be not incompatible with other declarations of the same witness on previous occasions regarding the same matter. On the basis of the evidence adduced, therefore, no prima facie case was established against the supposed culprits.

As regards the second charge, it appears that PC Captain Carlos Lademora and eight (8) soldiers were tried jointly in Criminal Cases No. 2571 (for illegal discharge of firearms), No. 2572 (for multiple slight physical injuries) and No. 2573 (for violation of City Ordinance No. 640 [drunkenness]). After presenting two witnesses, namely, Police Lt. Macandar Anango and Patrolman Mosacala Manta, respondent filed a motion to dismiss the cases insofar as Capt. Lademora was concerned on the ground that the declarations of the two witnesses were weak and contradictory, and that the other prosecution witnesses, Kunag Mamao, Tangorac O. Langco and Lasican Datu, had turned hostile and signed affidavits of desistance. Finding the motion well-founded, the City Judge in an order dated March 28, 1967, dismissed said cases accordingly.

Thereafter, on or April 28, 1967, respondent filed another motion to dismiss the cases against the soldiers for failure of the witnesses to appear in the hearing for the third time despite due notice given

them. The court had previously warned the witnesses that the cases would be dismissed if they failed to appear in the next hearing. Another reason advanced in the motion was that Lasican Datu, the only witness present that morning and who was one of the offended parties in Criminal Case No. 2572 for physical injuries, had taken the witness stand and declared that he was no longer interested in the further prosecution of the cases. The court dismissed the cases against the enlisted men on the same day (April 28, 1967).

The only question to determine is whether respondent was partial to Capt. Lademora in filing the motion to dismiss the aforesaid criminal cases after the testimony of Lt. Anango and Patrolman Manta.

The records disclose that (1) Capt. Lademora had nothing to do with the case of physical injuries (Criminal Case No. 2572); (2) in the case of illegal discharge of firearms (Criminal Case No. 2571) Patrolman Manta declared that the “soldiers fired” but could not identify any soldier who fired his gun, while Lt. Anango said he “saw Capt. Lademora fire and then he commanded his men to fire which they obeyed”; (3) in Criminal Case No. 2573 for violation of City Ordinance No. 640 (drunkenness), Patrolman Manta declared that he saw Capt. Lademora and eight (8) soldiers (whom he named in an affidavit) drinking in a restaurant, while Lt. Anango said he knew Capt. Lademora was drunk because when he entered the checkpoint the captain “smelled of liquor and could hardly pronounce his words.”

Patrolman Manta’s credibility is open to serious doubt due to several important contradictions. First, in his affidavit of February 8, 1967, he stated having seen Capt. Lademora and eight soldiers, whom he named, drinking. However, in the investigation of March 17, 1967, before Acting City Judge Mangontawar B. Guro of Marawi he named only three and admitted not knowing the others. Second, in the same affidavit he said Patrolman Tambos Goling brought to the checkpoint Pacabungang Saripada who was being chased by the soldiers, while in his testimony he said Goling brought in Lasican Datu and not Pacabungang Saripada. Third, in said affidavit he declared that the company commander Capt. Arque and Capt. Lademora went out of the checkpoint together, moved with the soldiers to the direction of the bridge and when the soldiers reached a place in front of Station DXRM “they fired several firings.” In the same investigation of March 17, 1967, said witness testified that while Capt. Lademora was inside the checkpoint, Capt. Arque left and boarded a jeep, after which Capt. Lademora called the soldiers, walked towards the bridge and then fired their guns.

Lt. Anango’s statement is likewise unreliable. He concluded that Capt. Lademora was drunk because he was allegedly smelling of liquor and that he could hardly pronounce his words. Drunkenness is subjective. It means the condition following the taking of liquor in excessive quantities. It connotes the effect produced upon the mind and body that a person is deprived of the normal control of his bodily and mental faculties. No evidence was presented that said soldiers were at the time deprived of the normal control of their bodily and mental faculties as a result of excessive drinking of intoxicants. As to his statement that Capt. Lademora gave the order to the soldiers to fire and that they fired in the air in all directions, it should be noted that Capt. Arque (the company commander) was in the group and was the superior officer of Capt. Lademora. Consequently, if orders had to be made they should have been given by the ranking officer. At this juncture, government witnesses who signed affidavits of desistance said they “learned that Capt. Lademora and Capt. Arque fired their guns in the air to prevent their soldiers who were drunk from doing more harm.”

With this kind of evidence, respondent fiscal really had very little to stand on. Considering that the complaints did not include Capt. Arque and Lt. Alug, a Muslim, even if they were with the group, one is tempted to believe that the charges were aimed at getting Capt. Lademora who is said to be a henchman of complainants’ political enemies, the then Mayor Batara and Congressman Lucman. By and large, I am satisfied that the respondent did not abuse his discretion in filing the two (2) motions to dismiss.

On the third charge, it appears that the counsel for the two (2) accused in Criminal Case No. 2634 for alleged violation of City Ordinance No. 657 of Marawi prohibiting the construction before December 1967 of market stalls in the burned-downed bi-weekly city market petitioned the court for reinvestigation thereof contending that his clients were not given the opportunity to present evidence and that there was discrimination in not charging a hundred others who had made similar constructions. The court granted the petition and respondent conducted the reinvestigation after which he filed a motion to dismiss the case provisionally with the intention of including the other violators. The motion was however, denied and the trial went on with the city special counsel continuing with the prosecution of the case. Upon conviction, the accused appealed to the Court of First Instance of Lanao del Sur which subsequently dismissed the case for “failure to prosecute.” It appears that the special counsel and the witnesses had lost interest in the case, for Mayor Batara, who was supported by the accused, lost in the mayoralty race. In the face of these facts, complainants’ allegation of partiality on the part of the respondent in moving for the provisional dismissal of the criminal case is unfounded.

The fourth charge hinges on the veracity of the averment of complainant Councilor Barodi that respondent was willing to drop the case against him for constructing his residence without the corresponding permit provided Mayor Batara agreed thereto and that, for this purpose, respondent brought him (Barodi) and the other complainant (Racman) to Iligan City to meet the Mayor. There is grave doubt on the truthfulness of this allegation. The other complainant, Councilor Racman, declared during the investigation that he did not hear any mention of complainant Barodi’s case during the conference. On the other hand, it was established that the meeting was initiated and arranged by City Assessor Hadji Salik, who is said to be a cousin of Councilor Racman, a cousin-in-law of Councilor Barodi and a “bilas” of ex-Mayor Batara, apparently for the purpose of bringing his relatives to work together for the good of Marawi City. It seems that the two councilors were against Mayor Batara’s proposal to secure a certain loan very much bigger than what the city council was willing to approve. If the desired peace and resulting cooperation failed to materialize, it was due to complainants’ refusal to make a definite decision on the matter in the absence of a certain councilor and the Vice-Mayor of the city with whom they had formed a bloc in the council.

However, while this charge is unsubstantiated, it is not denied that respondent brought the complainants in his car to the conference with Mayor Batara in Iligan City. During the investigation, he even admitted having admonished them to cooperate with one another by explaining that he saw nothing wrong in helping the mayor and the councilors come to an understanding to work together in the interest of the city whose problems had not been solved because of their bickerings, as in the case of delayed payment of the salaries of employees due to lack of funds.

Respondent’s actuation in taking Councilor Barodi in his car and bringing him to Mayor Batara in Iligan City at a time when said councilor had a pending case was improper and indiscreet because it exposed him to the suspicion that he was being used as a tool of Mayor Batara to induce Councilor Barodi into supporting him in his reelection bid, a suspicion which, although perhaps not true, tended to affect his integrity and the impartiality of his office. On this score, respondent is guilty of indiscretion.

The fifth and last charge that respondent was politically motivated in filing a charge against Councilor Barodi for constructing a residential house without permit is devoid of merit, it appearing that the complaint was based on the sworn statements of Police Lieutenants Badacar Anango and Armi Ambul.

I find the evidence insufficient to support the charges against respondent, except the fourth charge where he is guilty of indiscretion.

In view of all the foregoing, and upon the recommendation of the Secretary of Justice, City Fiscal Limpi Macapundag of Marawi is hereby reprimanded and warned to be more circumspect in his acts, as a repetition of the same or similar acts will be dealt with more severely. It appearing that respondent has been under preventive suspension since April 24, 1968, the same is hereby lifted and he shall be reinstated forthwith, with right to receive salary corresponding to the period of his preventive suspension.

Done in the City of Manila, this 18th day of July, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) RAFAEL M. SALAS

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 178
CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF BULACAN AND RIZAL.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of the boundary line between the provinces of Bulacan and Rizal with a view to determining its true and correct location, composed of the following:

Vice-Chairman and Executive Director, Board of Technical Surveys & Maps.....	Chairman
Director, Bureau of Coast & Geodetic Survey.....	Member
Director, Bureau of Lands.....	Member
Director, Bureau of Forestry	Member
Highway District Engineer of Bulacan	Member
Highway District Engineer of Rizal.....	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to the President, furnishing the Provincial Boards of the two provinces involved, a report of its findings within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the Execution of its task shall be borne share and share alike by the provinces of Bulacan and Rizal.

Done in the City of Manila, this 25th day of July, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) JOSE J. LEIDO, JR.
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 179

HOLDING FORMER CHAIRMAN PEDRO BANDOQUILLO OF THE HOME FINANCING COMMISSION PECUNIARILY LIABLE FOR A PORTION OF INTEREST LOSSES SUFFERED BY THE COMMISSION.

This refers to Administrative Order No. 33 issued by this Office on February 13, 1967, creating an Investigating Committee “to investigate alleged unaccounted funds and illegal investments of the Home Financing Commission.” The Committee was composed of Messrs. Emilio A. Gancayco of the Department of Justice, as Chairman, and Alipio Dalmacio of the Presidential Economic Staff and Marcelino Yumul of the General Auditing Office, as Members.

Basis of the inquiry was a memorandum of the Auditor of the Home Financing Commission (HFC) to the Officer-in-Charge thereof dated February 3, 1967, alleging that:

(1) The investments of the HFC in the Overseas Bank of Manila of bank acceptances in the total amount of ₱659,218.59 were not authorized by Section 15 of Republic Act No. 1557, otherwise known as the Home Financing Act;

(2) The renewals of said bank acceptances were made without prior approval of the Central Bank in violation of Central Bank Circular No. 220 dated April 22, 1966;

(3) The aforementioned bank acceptances, including interests, were renewed without pre-audit in contravention of GAO Memorandum Circular No. 510 dated May 27, 1966;

(4) The renewal bank acceptances were made payable to bearer, thus wiping out the identity of the government fund; and

(5) The bank acceptance of the Overseas Bank of Manila due February 21, 1967, in the amount of ₱150,000 was improperly accomplished and was of doubtful validity.

The Committee inquired into all transactions relevant to the alleged “unaccounted funds and illegal investments of the Home Financing Commission” without limiting itself to the matters contained in the memorandum of the auditor.

The Committee Report dated April 6, 1967, was submitted to this Office with recommendations, but the papers were referred to the Department of Justice, where Mr. Pedro Bandoquillo, former HFC Chairman-General Manager, requested leave to present additional evidence in support of his explanations. Committee Chairman Gancayco accordingly received additional evidence submitted by Mr. Bandoquillo.

The records disclose the following:

1. In December 1964 the auditor of the HFC questioned the purchases of bank acceptances by the HFC Board from the Traders Commercial Bank considering them as violative of Section 15 of the HFC charter, Republic Act No. 1557. Said section recites:

“Moneys in the Fund, not needed for current operations of the Home Financing Commission, shall be deposited with any government or commercial banks as may be approved by the Commission to the credit of the Fund, or invested in bonds or other obligations issued or guaranteed as to principal and interest by the Government. The Commission may purchase in the open market debentures issued under the provisions of this Act. Debenture so purchased shall be cancelled and not reissued.”

On June 25, 1965, the Superintendent of Banks of the Central Bank informed the HFC auditor that the purchases of bank acceptances were not authorized under the Charter of the Commission as they constituted investments which were neither in bonds nor obligations issued or guaranteed as to principal and interest by the Government. This matter was again brought by the auditor to the attention of the Board composed of Messrs. Pedro A. Bandoquillo, as chairman, and Isaac Villegas Ty and Otillo Gorospe, as members. The Board, however, continued to approve the purchases of bank acceptances. Indeed, on August 20, 1964, and August 15, 1965, the Board invested in bank acceptances of the Traders Commercial Bank in the sum of ₱117,123.16 and ₱600,000, respectively (Bank Acceptance Certificates Nos. 006 and 007) instead of depositing said amounts as time deposits which would have earned more interests.

On October 19 and November 22, 1965, the Board also purchased bank acceptances from the Overseas Bank of Manila worth ₱156,750 and ₱502,468.59 at 4½% and 6% per annum, respectively, instead of depositing them as time deposits at 6½% per annum, thus causing the Commission an interest loss of ₱7,177.15.

There seems to be no doubt that bank acceptances are investments outside the competence of the Commission to purchase (5 Words & Phrases, 116 citing *Luikart v. Mass. Bonding & Insurance Co.*, 264 N. W. 124, 129; 129 Nebraska 771 in defining bank acceptance; 12 Words & Phrases 238); nor do they constitute debentures issued under the provisions of Republic Act No. 1557 (Chapter II, Sections 7 to 14). More, such investments can not conceivably come within the ambit of the powers of the Commission as enumerated in Section 4 of the same law. Consequently, the Board should have desisted from purchasing bank acceptances, as it was not authorized by its charter.

Mr. Bandoquillo explained that the Board had the right and power to invest in bank acceptances with private commercial banks as an incentive for the latter to participate in the HFC's housing and mortgage insurance program. He adverted to the alleged unique authority conferred by the charter upon the HFC to approve deposits of its funds “with any government or commercial banks” and construed this to mean that the HFC may freely choose its depository banks which may be willing to participate in the HFC mortgage insurance program. This insistence, however, is unavailing in the face of an explicit lack of statutory authority and in the light of the adverse opinions advanced by the HFC Auditor and the Superintendent of Banks. The Board, had it shown circumspection, should have elicited the opinion of the Secretary of Justice before persisting in the matter.

It should be noted, however, that none of the money invested in said bank acceptances was lost; indeed, it earned the corresponding interest, albeit in lesser amount than if it were deposited in the time deposits form.

On the whole, it is believed that these purchases were made in good faith and in an honest but erroneous interpretation of the law as to the extent of the powers of the HFC Board.

2. On September 6, 1965, this Office, through then Assistant Executive Secretary Armand Fabella, directed the HFC Commission to withdraw its matured time deposits and its current and savings accounts with private commercial banks and to immediately transfer the same to the Philippine National Bank. On September 10, 1965, the HFC Board mustered a resolution seeking a reconsideration of this directive. However, its request was ignored by this Office. Meanwhile, the Commission failed to transfer its funds to the PNB as directed and continued authorizing time deposits and investments in private banks as follows:

(a) Time deposit of ₱303,000 in December 1965 with the Traders Commercial Bank (Exhibits FF-5 and FF-19);

(b) Two bank acceptances purchased from the Overseas Bank of Manila in the total amount of ₱659,218.15 in October and November 1965 (Exhibits C-1 and C-3); and

(c) Bank acceptances in the amount of ₱502,468.59 purchased from the Traders Commercial Bank on November 22, 1965 (Exhibit GG-8).

On April 22, 1966, the Central Bank issued Circular No. 220 directing the withdrawal of all government deposits from private commercial banks and their transfer to the Philippine National Bank or the Development Bank of the Philippines which were the only authorized government depositories. The General Auditing Office in an office memorandum dated September 30, 1966, invited the attention of the Board to this circular. On December 16 and 21, 1966, the Board nevertheless adopted a resolution for the withdrawal of ₱600,000 of its current accounts from the PNB for deposit in the Overseas Bank of Manila (Exhibit PP). This amount was sought to be withdrawn in three separate checks of ₱200,000 each, all dated December 20, 1966, signed by Mr. Bandoquillo (Exhibits E, E-1 and E-2), but the checks were dishonored by the PNB for lack of corporate title and the counter-signatures of the auditor and the treasurer (Exhibit F). The Board, composed of Messrs. Bandoquillo, Villegas-Ty and Piquero, however, confirmed the authority of Mr. Bandoquillo to sign these checks alone (Exhibit G-5). So, on December 22, 1966, the three checks were again presented for payment to the PNB by the Overseas Bank of Manila and again they were dishonored for the same reason and because of the existence of Central Bank Circular No. 220 (Exhibit G-2). Two more tries were made to encash two checks on December 28 and 29, 1966, but both attempts failed (Exhibits G-3, G-4 and G-6).

The Chairman and Members averred that they sought reconsideration of the directive of this Office and they believed that pending such reconsideration, they were empowered to continue making deposits in private banks. They also entertained doubts on the extent of the authority of the Office of the President over the operations of the Commission. They believed, moreover, that the transfer of the Commission's deposits from the commercial banks to the Philippine National Bank would trigger the immediate withdrawal of said banks from the HFC's mortgage insurance program and would retard the low-cost housing program of the Government. Finally, the Board doubted the power of the Central Bank over the Commission especially as to the deposits made in private banks the purpose of which was to support the mortgage insurance program of the Commission.

After a careful appraisal of all the facts, and in light of the circumstance that not a single centavo of government funds was lost, except the anticipated higher interests that would have been earned had these funds been time-deposited with the Philippine National Bank, this Office finds that the acts of the Board did not constitute a defiance of a presidential directive, much less an outright infringement of the law. Their acts may be considered, at worst, errors of judgment done in good faith, there being no evidence of malice or bad faith.

3. In August 1964 Mr. Bandoquillo, as Chairman-General Manager, took personal custody of the bonds and certificates of time deposits of the Commission from the HPC treasurer. He claimed he had no confidence in said official. He then negotiated bank acceptances and certificates of time deposits by himself without the counter-signatures of the treasurer and the auditor. He justified this actuation by the authority granted him by the Board and the charter. Explaining the actuations of his son, the late Conrado Bandoquillo, of endorsing two bank acceptances without proper authority (Exhibits AA, GG-2, GG-3, AA-2, AA-3, Z-5, FF-22 and GG-4-), Mr. Bandoquillo stated that this was not a case of disbursement that necessitated the counter-signatures of the treasurer and the auditor.

4. Mr. Bandoquillo purchased bank acceptances payable to bearer from the Overseas Bank of Manila in the amounts of ₱163,803.84 and ₱532,616.71 on October 18 and November 21, 1966, respectively. From the date of said purchases until January 25, 1967, these bank acceptances remained payable to bearer instead of to the Commission, thus exposing government funds to possible loss. Mr. Bandoquillo explained that he neither requested nor authorized the bank to issue these bank acceptances to bearer; that he received the certificates in good faith; and that the Overseas Bank must have issued them to bearer to circumvent the prohibition against such deposits in private banks as required by Central Bank Circular No. 220.

The fact remains, however, that these funds remained intact; none of the moneys involved got lost. The Board's actuations, though ostensibly imprudent, are not culpable and may again be ascribed to error of judgment.

5. Mr. Bandoquillo obtained a personal loan of ₱3,198.83 from the Katipunan Rural Bank which was a depository of time deposits of the Commission since 1962. Said bank was not a participant in the Commission's mortgage insurance program, but it was so patronized because it granted salary loans to HFC personnel. When Mr. Bandoquillo failed to pay his loan upon maturity and when on February 7, 1966, a certificate of time deposit of the Commission in the amount of ₱10,000 was redeemed by said Bank, the unpaid accounts of Mr. Bandoquillo and of one Pedro Royales of the HFC already amounting to ₱3,355.94 were deducted. Mr. Bandoquillo seems to have acquiesced in this deduction but he refunded his personal loan plus all the interests due directly to the Commission on January 24, 1967. Again, in this instance, no material loss was sustained by the Commission or by the Government.

6. On February 21, 1966, Mr. Conrado Bandoquillo, son of Chairman Pedro Bandoquillo, deposited in the Traders Commercial Bank check T-04346 dated February 18, 1966, in the amount of ₱200,000 belonging to the Commission to the account of FEATMAC, a private corporation under Account No. 2017-2. On the same day, FEATMAC withdrew ₱50,000 and deposited the same to the account of the Commission. Also on the same day, Overseas Bank of Manila bank acceptance in the amount of ₱150,000 was issued. Meanwhile, FEATMAC used and disposed of the amount of ₱150,000 deposited to its account.

Mr. Pedro Bandoquillo explained that he did not authorize his son in this instance. He drew attention to the indorsement of his son on the check which is typewritten while the note of the account number to which it was to be deposited appeared to be written by a different hand. Since Mr. Bandoquillo's son is now dead, pursuing the investigation further was out of the question.

An official of the Overseas Bank, a Mr. Abanilla, testified that this bank acceptance issued to cover the diverted funds to FEATMAC was forged and signed by unauthorized persons. The fact stands that the Overseas Bank of Manila redeemed the same, as it had erroneously guaranteed payment by endorsing it (Exhibits C-4 and FF-2). Hence, no actual damage was sustained by the Commission.

This Office believes, after a careful review of the record, that the aforementioned Chairman and Members of the Board of the Home Financing Commission purchased bank acceptances and maintained deposits of the accounts of the Commission with private commercial banks in spite of lack of explicit authority to do so. Their explanations are, however, not wholly unfounded. They explained that it was their desire to encourage private commercial banks to invest in the mortgage insurance program of the Commission; that they were aware of the reluctance of private commercial capital in entering into low-cost housing ventures where investment yields were unattractive; and that they feared that the sudden withdrawal of the HFC deposits from the private banks may adversely affect its mortgage insurance program.

Hence, this Office finds that the acts which the Investigating Committee discovered to have been committed may reasonably be ascribed to errors of judgment.

The repetition of the aforementioned acts by the then Chairman and incumbent Members of the Board concerned, however, even in the face of contrary advice of superior authority, and against the cautionary warnings of independent agencies, and the Board's failure to seek the legal opinion of the Secretary of Justice to settle doubts raised as to its official actuations show marked imprudence and faulty exercise of administrative leadership and discretion.

Wherefore, this Office finds that the HFC Board, by its act of authorizing: the investment in bank acceptances of the Traders Commercial Bank in the sum of ₱117,123.16 on August 30, 1964, and ₱600,000 on August 15, 1965 (Bank Certificates Nos. 006 & 007), instead of depositing the same as time deposits, caused the Commission to sustain an interest loss of ₱3,242.67 for the period from August 24, 1964, to July 29, 1966, as computed by the HFC auditor. Mr. Bandoquillo is hereby held accountable and liable for ₱2,000 of said amount which he must immediately reimburse to the Commission.

Mr. Bandoquillo is likewise hereby declared liable to, and must accordingly reimburse, the Commission for ₱3,000 out of an interest loss of ₱7,177.15 caused by the Board's act of purchasing bank acceptances of ₱156,750 on October 19, and ₱502,468.59 on November 22, 1965, at 4½% and 6%, respectively, instead of depositing the same as time deposits at 6½% per annum.

This Office withholds its decision as regards Directors Gorospe, Villegas Ty and Piquero, pending further study of their respective cases.

Done in Manila, this 26th day of August, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 180
MODIFYING ADMINISTRATIVE ORDER NO. 41 DATED MARCH 29, 1967,
BY CONSIDERING MR. VICENTE M. SALUMBIDES AS HAVING VOLUNTARILY
RESIGNED FROM THE SERVICE.

Administrative Order No. 41 was issued by this Office on March 29, 1967, removing Mr. Vicente M. Salumbides from his position as Municipal Judge of Tagkawayan, Quezon. Mr. Salumbides was found guilty of gross neglect and dereliction of duty for having delayed the transmission of the records of Criminal Case. No. 1535 for qualified seduction filed in his sala to the Court of First Instance of Gumaca, Quezon, and for ignoring notices of hearing in the administrative investigation to inquire into his official actuations.

A petition for reconsideration of the decision is at hand with the further request that the respondent be considered merely as having resigned.

A careful review of the record does not yield any ground for departing from the findings of the verdict. The charge of negligence was clearly proved and respondent's failure to appear at the hearing is a matter of record.

However, the charge was essentially one of simple negligence. Nothing in the record discloses any unlawful or illicit motive behind respondent's failure to transmit seasonably to the Court of First Instance the records of the aforementioned criminal case. And, even if respondent's refusal to appear at the administrative inquiry, were construed as an outright waiver of his right to defend himself, he could not be held responsible for more than simple negligence.

Considering respondent's over twenty (20) years of continuous service on the Bench and in the light of his willingness to be considered resigned from the service without prejudice to whatever benefits the law may accord to him, his request for voluntary resignation should be granted.

Wherefore, Administrative Order No. 41 dated March 29, 1967, is hereby amended by considering Municipal Judge Vicente M. Salumbides of Tagkawayan, Quezon, as having voluntarily resigned from the service without prejudice to whatever benefits he may be entitled to under existing law and rules.

Done in the City of Manila, this 2nd day of October, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 181
CREATING A TECHNICAL COMMITTEE TO STUDY THE ESTABLISHMENT OF FREE PORTS.

WHEREAS, a free port or ports in the Philippines offers possibilities for increased foreign trade and use of Philippine ports and shipping facilities and development of processing industries; and

WHEREAS, a thorough study of the matter should be undertaken to determine its impact on the economy;

NOW, THEREFORE. I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee composed of representatives of the following offices:

Presidential Economic Staff
National Economic Council
Department of Foreign Affairs
Department of Commerce and Industry
Philippine National Bank
Bureau of Customs
Department of Finance

for the purpose of

- (a) reviewing the studies conducted on the matter and efforts exerted so far in the establishment of a free port in the Philippines;
- (b) determining the feasibility of establishing such a port; and
- (c) formulating, if deemed advisable, program of action to implement the proposal.

The members shall elect a chairman from among themselves. The Committee may call on any government department, bureau, office agency or instrumentality for assistance in the accomplishment of its task.

It shall submit a report to the President within one year from the date of this Order.

Done in the City of Manila, this 14th day of October, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 181-A
SUSPENDING FROM OFFICE DISTRICT JUDGE TITO V. TIZON OF THE COURT OF FIRST
INSTANCE OF BALANGA, BATAAN, PENDING INVESTIGATION OF ADMINISTRATIVE
CHARGES AGAINST HIM.

In Administrative Case No. 152-J filed in the Supreme Court on August 18, 1969, entitled, “The Secretary of Justice, Complainant, vs. Honorable TITO V. TIZON, Respondent”, respondent Judge is charged with serious misconduct and gross inefficiency in office consisting of dishonesty (extortion, bribery, exaction and oppression), gross misconduct, falsification of public documents, violations of laws and regulations, inefficiency and incompetence, and scandalous behavior.

Under the charge of dishonesty, respondent is charged of:

- (a) having, sometime in 1965 during the pendency of Civil Case No. 2972 in his Court, demanded and obtained directly and/or indirectly, from one of the parties therein valuable articles consisting of expensive liquors, cigarettes and rice;
- (b) having, sometime in December, 1965, in connection with the same Civil Case No. 2972, demanded from the niece and depositary of the plaintiff in the aforesaid case the sum of Five Hundred (₱500.00) Pesos which was received by respondent through Municipal Judge Crisostomo Banzon of Orion, Bataan;
- (c) having, sometime in March, 1965, demanded and obtained from the same Judge Banzon, a practising lawyer in his Court, the sum of Two Hundred and Fifty (₱250.00) Pesos;
- (d) having, sometime in September, 1965, demanded and obtained from the late Mayor Federico Muli of Dinalupihan, Bataan, the sum of Twenty-four Thousand (₱24,000.00) Pesos in consideration of a judgment of acquittal in Criminal Case No. 5772, CFI of Bataan, entitled “People versus Federico Muli, et al”;
- (e) having, sometime in September, 1967, in consideration of a favorable decision in Cadastral Case No. 19, LRC Cad. Rec. No. 1097, concerning the petition to reopen cadastral proceeding of Lot 629 of the Mariveles Cadastre, demanded and exacted from therein petitioner Josefa Yaneza a triangular portion of 200,000 square meters of the aforesaid Lot 629;
- (f) having, sometime in January, 1965 in connection with a petition for the surrender of the owner’s duplicate copy of TCT Nos. 5701 and 5702 (Samal Cadastre), demanded from the petitioners-spouses Rodrigo Coloso and Elisa-Geaga-Coloso fifteen (15) hectares of the lands covered by said petition;

(g) having, extorted from Gonzalo Santos Two Hundred (₱200.00) Pesos in consideration of a judgment of acquittal in a criminal case for infidelity in the custody of prisoners; from Bernardo Vianzon, One Hundred (₱100.00) Pesos in consideration of the issuance of a restraining order in Special Civil Case No. 2829 of respondents Court; from former Governor Adelmo Camacho, Five Hundred (₱500.00) Pesos in consideration of the dismissal of a smuggling case from Gavino Santiago, in consideration of a favorable judgment in a case where Santiago's son was killed in a vehicular accident;

(h) having, sometime in 1966 while Criminal Case No. 6115 of respondent's Court entitled, "People versus Rodrigo Coloso" was pending, demanded from the accused Coloso through an intermediary Atty. Filemon Trinidad—the sum of Ten Thousand (₱10,000.00) Pesos in consideration of a judgment of acquittal; Coloso's refusal to pay resulted in the withdrawal of his counsel, Atty. Trinidad, and the eventual conviction of Coloso for illegal discharge of firearm.

Under the charges of gross misconduct, falsification of public documents, violations of law and regulations, inefficiency and incompetence, respondent is accused of;

(a) having knowingly committed acts of falsification by issuing an order dated April 18, 1969 in the three (3) cases involving the petitions to reopen cadastral proceedings under Republic Act 931, as amended by Republic Act 2061, Cadastral Case No. 19, LRC Cad. Rec. No. 1097, over two (2) portions of Lot 626 and one portion of Lot 622 of the Mariveles Cadastre, stating in said order that the parties therein had submitted the cases for decision, despite the fact that no hearing nor reception of evidence was held, nor any transcript thereof taken;

(b) having willfully and in violation of law allowed a certain Jose A. Pagunsan, a former court stenographer who had been separated from the service for unsatisfactory performance since September 30, 1966, to officially take stenographic notes in hearings before his Court; to prepare, draft and/or write decisions and/or orders in various cases; to borrow and withdraw Court records, expedientes, exhibits and transcripts from the Vault-In-Charge and to bring these records to Pagunsan's home in Quezon City, even after the latter's separation from the service;

(c) having never held any session or office on Saturdays since his appointment as Judge in the Court of First Instance of Bataan in August, 1964, to the present, of rarely holding sessions in the afternoons of weekdays, in reporting his leaves of absence to the Department of Justice only after having enjoyed them and in absenting himself from office without prior notice to the inconvenience of litigants and attorneys in his Court;

(d) having allowed, caused and/or tolerated the preparation and submission to the Department of Justice of monthly reports containing incomplete, inaccurate and false data and in allowing court records to be withdrawn, borrowed and kept by private individuals thus exposing such records to tampering, substitution, intercalation, spoliation and destruction;

(e) having allowed Jose A. Pagunsan to prepare, draft and write decisions, orders and resolutions which were subsequently adopted, signed and promulgated by the respondent Judge as his own;

(f) having allowed simple court orders awaiting his signature to remain pending for as long as six (6) months, in rendering decisions and orders beyond the ninety (90) day period as required by law and in falsifying his sworn certifications to the Department of Justice to enable him to collect his salary despite such gross and willful neglect of duty.

Under the charge of scandalous behavior and unbecoming conduct, the respondent is charged of:

(a) having abused the hospitality of his hostess, Mrs. Luz Balmaceda, during the eve of the town fiesta of Orion, Bataan, in May, 1965, by taking home, after dinner, a carton of Salem cigarettes and a bottle of imported liquor;

(b) having, sometime in December, 1965, in the early hours of the morning and in the company of Atty. Bascara, stopped in front of the house of Mrs. Remedios Santos Uy of Bantan, Orion, Bataan, and in a drunken and troublesome manner, shouted for Mrs. Uy to come down from her house to demand from her Five Hundred (P500.00) Pesos, which sum was turned in the next day to respondent through Municipal Judge Banzon;

(c) having, sometime in between April and May, 1965, accepted three (3) big baskets full of mangoes from Alberto Almazan which were paid for by Amando Fernandez whose wife had then a pending case in respondent's Court;

(d) having, sometime in September, 1964, obtained grocery items from the sari-sari store of one Loleng David in Barrio Talisay, Balanga, Bataan, valued at Fifty (P50.00) Pesos, without paying a single centavo therefor;

(e) having, on various dates and occasions and in public places, been observed as a heavy and incontinent drinker.

In the same complaint, consisting of one hundred ninety-seven (197) pages, the Secretary of Justice urged the Supreme Court, on grounds therein enumerated, that pending investigation of these serious charges, the suspension of respondent be recommended to the President of the Philippines.

On August 22, 1969, the Supreme Court required respondent to file his answer and to show cause why the petition for his suspension should not be granted.

On September 15, 1969, the respondent moved for an extension of time to file his answer and to show cause.

On September 16, 1969, the Secretary of Justice filed an urgent motion for the immediate preventive suspension of respondent, reiterating the grounds raised in the basic petition and additionally citing specific acts of intimidation, pressure and harassment being employed by respondent to break the will of the witnesses against him. The Secretary of Justice further adverted to the fact that the efforts of the prosecution agencies to file charges against respondent's associates and confederates have been stymied; that the Department of Justice could not proceed with a full dress investigation of the massive frauds attending the registration and titling of lands in the province of Bataan; that the records in respondent's court, which are in his absolute custody and control, have been and could again be tampered with; and that the respondent posed a continuing threat to the integrity and the safety of witnesses against him for as long as he continued in office.

On September 19, 1969, the Supreme Court resolved to grant respondent's prayer for an extension to file his answer but gave him until September 24th to show cause why he should not be suspended from office. The Court also set the motion for his immediate preventive suspension for hearing on September 26, 1969. Respondent filed his "Compliance" on September 24, 1969 opposing the motion for his immediate suspension.

In the hearing of September 26, 1969, both parties, represented by counsel, appeared before the Supreme Court for oral argument, after which the matter was submitted for resolution.

In its per curiam resolution, the Supreme Court noted "the gravity of the charges against respondent, many of them based on public records". The Supreme Court also noted the allegations in the complaint itself and in the complainant's urgent motion for immediate preventive suspension as well as the affidavits and other documents attached thereto. It found that these pleadings and documents "tend to show not only that many of the persons who may be called upon to substantiate or to refute the charges are either employees under respondent's administrative supervision or private litigants, whose cases, in a number of instances, are pending before him, and who, unless respondent is suspended, may not feel free to testify".

Finally, the Supreme Court observed that "some of the charges against respondent had to do with the close personal and extra-official relations between him and a former court stenographer under him, one Jose A. Pagunsan, in whose possession, notwithstanding his separation from the service since September 30, 1966, certain records of cases in respondent's court have been allegedly found, thereby endangering the security and integrity of the same."

In the light of these premises, the Supreme Court issued a per curiam resolution, dated "October 20, 1969, unanimously recommending to the President of the Philippines the immediate preventive suspension of respondent Judge.

WHEREFORE, as recommended by "the Supreme Court, and pursuant to the provisions of Section 67 of the Judiciary Act of 1948, as amended, the Honorable TITO V. TIZON, District Judge of the Court of First Instance of Bataan, is hereby SUSPENDED FROM OFFICE effective upon his receipt of a copy of this order, pending investigation of the charges against him.

Done in the City of Manila, this 21st day of October, in the year of Our Lord, Nineteen Hundred and Sixty-nine.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). [Administrative Order Nos.: 1 - 199]. Manila: Malacañang Records Office.

MALACAÑANG PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 182
CREATING THE PRESIDENTIAL COORDINATING COMMITTEE FOR SOCIAL JUSTICE AND
AGRARIAN REFORMS

WHEREAS, there is a pressing need to attend to the problems and demand of small farmers belonging to the Federated Movement for Social Justice and Reforms (FMSJR) from all over the country and provide solutions therefor in the most expeditious and economical manner;

WHEREAS, to the various problems and demands of the said small farmers there are existing Government agencies that can attend and provide adequate solutions;

AND, WHEREAS, these Government agencies should now be coordinated in order that their respective functions can be made to better serve the needs and solve the problems of the said small farmers without delay;

NOW, THEREFORE, by virtue of the powers vested in me by law, I, FERDINAND MARCOS, President of the Philippines, do hereby create a body to be known as the Presidential Coordinating Committee for Social Justice and Agrarian Reforms composed of the following: the Chairman of the National Land Reform Council as Chairman; the Undersecretaries of Justice, Agriculture and Natural Resources, Public Works and Communications, and of the Presidential Agency for Reforms on Government Operations, the Dean of the U.P. College of Agriculture, the Commissioner of the Small Farmers' Commission, the President of the Philippine Press Institute, or their duly authorized representatives, and three representatives of the Federated Movement for Social Justice and Reforms, as members.

The Committee shall meet at least twice a month at the Marble Hall, Department of Agriculture and Natural Resources Building, Agrifina Circle, Rizal Park, Manila, or in such other places as maybe designated by the Committee.

The Committee shall receive all complaints of the farmers, tenants, lessees, small owners-cultivators and agricultural workers belonging to and/ or affiliated with the FMSJR group, and it shall forward and follow-up such complaints and cases with the proper government offices for immediate appropriate action.

The Committee is authorized to call upon any department, bureau, office, agency or instrumentality of the government for assistance as it may need to carry out the purposes of this order, and may request the temporary assignment of such personnel therefrom to the committee which shall exercise operational control over them for the duration of their assignments.

The committee shall submit to the President periodic reports regarding the said complaints, grievances and cases received by them and the corresponding actions taken thereon.

Done in the City of Manila, this 31st day of October, nineteen hundred and sixty nine.

(Sgd.) **FERDINAND E. MARCOS**
President of the Philippines

By the President:
(Sgd.) **ERNESTO M. MACEDA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 – 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 183
CONDONING PENALTIES DUE FROM TENANTS AND VENDEES OF ALL ESTATES UNDER
THE JURISDICTION OF THE LAND AUTHORITY.

WHEREAS, all estates under the administration of the Land Authority were purchased by the government for subdivision and distribution to bona-fide tenants, occupants and other qualified landless individuals;

WHEREAS, the acquisition of subject estates was in accordance with the provisions of the Constitution and laws authorizing the acquisition by the Government of big landed estates for subdivision into farm and residential lots for resale at cost to qualified persons;

WHEREAS, the imposition of penalties to tenants with approved Agreements to Sell has added a considerable burden to their already impoverished financial situation;

WHEREAS, condonation of penalties would not adversely affect the recovery of funds invested by the Government in the acquisition of the various estates now under the administration of the Land Authority; and

WHEREAS, the failure of the tenants to meet their obligations on time was due principally to their financial incapacity brought about by droughts, typhoons, poor harvest, pest infestations, lack of irrigation systems;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the Government so requiring, do hereby order:

That the outstanding penalties due thereon of promises in agreements to sell in the various estates under the administration of the Land Authority are hereby condoned and said persons relieved therefrom, subject to the provisions of Sec. 651 of the Revised Administrative Code, as amended.

Done in the City of Manila, this 4th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 184
**CREATING THE COUNTERPART STAFF REQUIRED FOR THE EXECUTION OF THE ADB-
SPONSORED REGIONAL TRANSPORT SURVEY.**

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Counterpart Staff to the consulting firm that will be designated by the Asian Development Bank to undertake the Regional Transport Survey, composed of the following:

Mr. Vicente J. Brillantes (PES)	– Chairman (RP Government Liaison Officer to ADB)
Mr. Alfredo T. Kagawan (PES)	– Member (Counterpart to the Transport Economist)
Mr. Carlos C. Leano (IOC)	– Member (Counterpart to the Highway Specialist)
Mr. Ernest Leung (PES)	– Member (Counterpart to the Development Economist)
Mr. Gerardo Ramirez (CAA)	– Member (Counterpart to the Air Specialist)
Mr. Alberto S. Sanchez (PES)	– Member (Counterpart to the Administrative Specialist)
Mr. Gregorio R. Vigilar (PES)	– Member (Counterpart to the Administrative Specialist)
Mr. Liberato L. Lazo	– Member (Counterpart to the Maritime & Ports Specialists)
Mr. Manuel D. Ledesma (PES)	– Member (Counterpart to the Maritime & Ports Specialists)

The functions of this Counterpart Staff are as follows:

1. To assist and coordinate the activities of the consulting firm in order to have an expeditious implementation of the Regional Transport Survey;
2. To assist the consulting firm in obtaining all available economic, traffic and technical data in terms of trade and commerce, travel and tourism, and general economic growth, including information on transport costs and revenues and on the organization, operations and accounting systems of the administrative agencies responsible for transport administration;
3. To provide liaison among the appropriate organizations and government agencies and offices concerned with or affected by the project;
4. To provide the consulting firm the results of and the recommendations contained in the reports on the Philippine Transport Survey; and
5. To provide such facilities and administrative support and services as may from time to time be required by the foreign consultants, to the extent defined in the agreed Participation Agreement between the Participating Governments and the Asian Development Bank.

The Chairman of the Counterpart Staff is hereby empowered:

1. To call upon all offices and meet with all persons who may be affected by the work of the Regional Transport Group;

2. To require from the various government departments, bureaus and offices, as well as government-owned or controlled corporations, such administrative support and services as may be required, by the Regional Transport Group, and

3. To do everything necessary and expedient for the completion of the Regional Transport Survey in accordance with the agreed schedule of activities.

The Chairman of the Counterpart Staff shall be responsible to the Deputy Director General (Operations), Presidential Economic Staff, Manila, for the proper functioning of his Counterpart Staff, and shall refer to the same for any matter requiring action of higher authorities.

Done in the City of Manila, this 12th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 185
SUSPENDING MR. MANUEL JAVELONA FROM OFFICE AS JUDGE OF BAGO CITY.

This is an administrative case against City Judge Manuel Javelona of Bago City filed by Avelina Limson. It arose from Criminal Case No. 729 of the Municipal Court of Pulupandan, Negros Occidental, decided by the respondent while acting as municipal judge of said court in the absence of the regular incumbent. Respondent was then Municipal Judge of Bago before its conversion into a chartered city.

On the night of February 6, 1964, complainant Avelina Limson, a fourth-year student in the University of Negros Occidental, Bacolod City, was attacked by one Ruperto Gascon while on her way home from school. A criminal case for less serious physical injuries was filed by the Chief of Police of Pulupandan against Gascon (Exh. "A-1") grounded on a medical certificate issued on February 25, 1964, by Dr. Angela Fuentebella, stating that Miss Limson's injuries would take about 20 days to heal. After her discharge from the hospital, Miss Limson filed another complaint against her assailant for robbery with serious physical injuries in the same court (Exh. "A-4"), alleging further that she was robbed of ₱500 when she was attacked. This second complaint which was signed by the offended party, bore the same docket number as the original one. Attached to her complaint was another medical certificate issued on March 24, 1964, by the same physician which stated that Miss Limson was treated of her injuries for more than 30 days.

On April 17, 1964, the accused waived his right to the preliminary investigation under the second complaint, and the case was remanded to the Court of First Instance of Negros Occidental where it was docketed as Criminal Case No. 8470. Upon review of the record of the case and finding no evidence to support the robbery angle, the Assistant Provincial Fiscal moved that the case be remanded to the court of origin for trial on the charge of serious physical injuries only (Exh. "A-10"). The Court of First Instance accordingly issued an order remanding the case to the Municipal Court of Pulupandan for trial on the merits after the charge shall have been amended (Exh. "A-11").

On July 3, 1964, the respondent, then acting as Municipal Judge of Pulupandan, called the case for hearing. The accused entered a plea of guilty and respondent sentenced him to 20 days' imprisonment (Exh. "A-9"). It turned out, however, that the charge to which the accused was allowed to plead guilty was the original charge for less serious physical injuries filed by the chief of police and not the second charge for serious physical injuries.

The respondent explained that he sentenced the accused to 20 days' imprisonment upon his plea of guilty for less serious physical injuries because the police chief told him that there was no other case filed against the accused. This was denied by the chief of police who stated that he made no such representation to the respondent. Assuming that the chief of police misled him, the respondent was clearly negligent in failing to examine the records of the case before proceeding with the hearing and rendering his decision. Had he examined the record, he would not have missed finding the crucial order of the Court of First Instance remanding to the Municipal Court of Pulupandan the complaint

of Miss Limson against the accused for “robbery with serious physical injuries” for trial on the merits on the charge for serious physical injuries after the complaint shall have been amended. As observed by the investigating Judge:

“Assuming that the testimony of the respondent is true that the chief of police of Pulupandan told him that there was no complaint in the record except that for less serious physical injuries, dated February 26, 1964, the conclusion would be that the respondent allowed himself to be dictated upon by a minor official in the municipality of Pulupandan.

“Such act shall not be allowed to pass unchecked if faith in the independence of the judiciary is to remain unshaken.”

Howsoever we look at this case, we find that the respondent judge either falsely attributed to the chief of police a statement the latter did not make or, if he told the truth, he acted irresponsibly and negligently not befitting his position, considering that it was his duty as judge to read at least the basic complaint on which he was called upon to act and find out for himself what the charge really was.

Moreover, he was guilty of ignorance of the law and gross negligence in sentencing the accused to a prison term of only 20 days, despite the evidence of record that the physical injuries constituting the offense were serious. And even if the charge were really less serious physical injuries, the penalty imposed was wrong. The proper penalty for less physical injuries is arresto mayor, the minimum of which is imprisonment for one month and one day.

In view of the foregoing, and as recommended by the Secretary of Justice, Judge Manuel Javelona of Bago City is hereby suspended from office for six (6) months without pay, effective upon receipt of a copy hereof.

Done in the City of Manila, this 13th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 186
SUSPENDING MR. SANTIAGO CATANE FROM OFFICE AS CITY JUDGE OF OZAMIS CITY.

This is an administrative case against City Judge Santiago Catane of Ozamis City for (1) falsification of public documents; (2) willful neglect in the performance of official duties; and (3) ignorance of the law and partiality. The case was formally investigated by Judge Geronimo R. Marave of the Court of First Instance of Misamis Occidental.

The Secretary of Justice found respondent blameless of the charge of ignorance of the law and partiality, since the latter's order dated April 17, 1968, allowing complainant Cruz Limbaring, who was the accused in Criminal Case No. 5879 (for slight physical injuries), to file a motion for reconsideration of the judgment dated January 18, 1968, before its promulgation on August 17, 1968, was more of an irregularity in procedure than ignorance of the law and the fact that he showed the decision to the complaining witness before the promulgation was not sufficient proof of partiality.

The evidence discloses, however, that respondent periodically certified, among other things, for the purpose of collecting his salaries from January 1967 to November 1968, that he had decided within ninety (90) days all civil and criminal cases submitted to him for decision or determination; and that at the time he made the certification the following cases submitted to him for decision were unacted upon for a period ranging from six (6) months to more than six (6) years counted from the dates they were actually submitted for decision:

1. Criminal Case No. 6141 (OZ-541) entitled "People of the Philippines vs. Diego Palomares et al." for serious physical injuries with permanent deformity;
2. Criminal Case No. 5879 (OZ-588) entitled "People of the Philippines vs. Cruz Limbaring" for slight physical injuries;
3. Civil Case No. 531 (OZ-157) entitled "Emilio Documento et al. vs. Tito Daaca et al." for collection of money with damages;
4. Criminal Case No. 3055 (OZ-420) entitled "People of the Philippines vs. Santos Maata" for murder;
5. Criminal Case No. 3056 (OZ-421) entitled "People of the Philippines vs. Santos Maata" for frustrated murder;
6. Criminal Case No. 3057 entitled "People of the Philippines vs. Santos Maata" for attempted homicide;
7. Criminal Case No. 5944 (OZ-515) entitled "People of the Philippines vs. Saturnino Nemeño" for less serious physical injuries;
8. Civil Case No. 512 (OZ-48) entitled "Pershing Tan Queto vs. Teresa Azcona" for collection of sum of money;
9. Criminal Case No. 5283 entitled "People of the Philippines vs. Pelang Suez et al." for violation of Section 174 of the National Internal Revenue Code;

10. Criminal Case No. 5577 entitled “People of the Philippines vs. Paciencia Vda. de Acasio;”
11. Criminal Case No. 5711 entitled “People of the Philippines vs. Leona de Bayson” for violation of Sections 125 and 174 of the National Internal Revenue Code; and
12. Criminal Case No. 5284 entitled “People of the Philippines vs. Conrado Lopez” for violation of Section 174 of the National Internal Revenue Code.

Respondent admitted in the hearing that every time he collected his salaries during the period from January 1967 to February 1968 he issued a certificate to the effect that he had decided within ninety (90) days all civil and criminal cases submitted to him for decision or determination. That (1) Criminal Case No. 6141 (OZ-541) whose last day of hearing was on June 14, 1967, and decided on February 7, 1968; (2) Civil Case No. 531 (OZ-157) – submitted for decision on August 31, 1964, and decided on June 13, 1967; (3) Criminal Case No. 3055 (OZ-420) – submitted for decision on January 18, 1961, and decided on February 20, 1967; (4) Criminal Case No. 3056 (OZ-421) – submitted for decision on January 18, 1961, and decided on February 20, 1967; (5) Criminal Case No. 3057 – submitted, for decision on January 18, 1961, and decided on February 22, 1967; (6) Criminal Case No. 5944 (OZ-515) – submitted for decision on December 27, 1966, and decided on October 27, 1967; (7) Civil Case No. 512 (OZ-48) – submitted for decision on July 1, 1964, and decided on June 7, 1967; (8) Criminal Case No. 5577 – submitted for decision on August 23, 1966, and decided on August 19, 1967; (9) Criminal Case No. 5711 – submitted for decision on August 26, 1966, and decided on August 19, 1967; and (10) Criminal Case No. 5284 – submitted for decision on November 2, 1964, and decided on July 22, 1967, were not actually submitted, for decision on the dates therein stated or the dates of last hearing but were considered submitted, on the dates counsel in each respective case failed to submit his memorandum. He claimed that when he noted in each case that counsel had failed to file his memorandum, he then considered the 90-day period to run. He also maintained that Criminal Case No. 5879 whose last date for hearing was January 13, 1967, and decided on January 18, 1968, was considered submitted by him for decision during the hearing of “People of the Philippines vs. Francisco Ampong” and “People of the Philippines vs. Godofredo Lorenzo” on November 2, 1967; and that Criminal Case No. 5283 – set for continuation of trial to October 12, 1964, and decided on June 13, 1967 – was not considered submitted for decision on October 12, 1964, because after the hearing he told the accused to produce the Muslim who was allegedly the owner of the smuggled cigarettes. Upon realizing that the accused could not produce the Muslim he immediately considered the case submitted for decision and decided it within the 90-day period.

Except in Criminal Cases Nos. 5879 and 5283, respondent invoked a uniform reason regarding the delay in the disposition of said cases, namely, that he granted verbally the oral requests of counsel to file their memoranda and that when they failed to do so he considered the 90-day period to start therefrom. This is a shallow excuse, for he failed to point out the specific dates when these cases were considered submitted for decision.

Wherefore, and as recommended by the Secretary of Justice, Mr. Santiago Catane is hereby suspended from office as City Judge of Ozamis City for three (3) months without pay, effective upon receipt of a copy of this order, with a warning that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 13th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 187
REMOVING MR. JUAN BAYUGA FROM OFFICE AS MUNICIPAL JUDGE OF FLORA, APAYAO-KALINGA.

This case stems from the complaint filed by the spouses Mateo Cascayan and Angela Cascayan of Bo. Tacang, Flora, Apayao-Kalinga against Municipal Judge Juan Bayuga of Flora, Apayao-Kalinga charging the latter with oppression and abuse of power, and ignorance of the law. The charges were formally investigated by District Judge Lauro S. Esteban.

On June 16, 1966, while said spouses were working on their portion of Lot No. 1247, situated at Bo. Tacang, Flora, Apayao-Kalinga (formerly Mt. Province), a certain Rodolfo Respicio and a companion, arrived and began plowing the same portion of the land being worked on by the spouses. The spouses asked Respicio and his companion to stop working but the latter replied that the land belonged to Mrs. Digna Bayuga, wife of respondent. The next day, the complainants were arrested and brought before the respondent who told them to give up possession of the land because the same belonged to his wife who had bought it from one Angel Guillermo. When the complainants refused respondent's demand, the latter scolded them and ordered them incarcerated in the municipal jail of Flora.

On June 24, 1966, Criminal Case No. 67, People of the Philippines versus Mateo Cascayan and Angela Balalio for Grave Coercion, was filed by one Eulogio Agcaoili of the Philippine Constabulary before the respondent's court based on the affidavits of Rodolfo Respicio and Fidelio Guzman. The affidavits were subscribed before the respondent on the same day, June 24, and the warrant of arrest was issued by the respondent also on June 24, 1966. On July 4, 1966, the complainants were released on bail.

The hearings of the case against the complainants were postponed for several times until finally, without respondent conducting a preliminary investigation, the accused were arraigned on December 21, 1966.

At the arraignment, Mateo Cascayan pleaded guilty to the charge of Grave Coercion while Angela Cascayan pleaded not guilty. Before the arraignment, however, respondent issued an order disqualifying himself from trying the case, but upon a joint motion for reconsideration filed by the prosecuting officer and the representative of the accused, one Luis Balbas, requesting the respondent to try the case, respondent reconsidered his own order with a reservation that the parties should feel free to ask for respondent's disqualification at any stage of the trial. On December 21, 1966, the case was tried and terminated. The sentence in the case of Mateo Cascayan who pleaded guilty to the crime charged was held in abeyance until December 27, 1966.

Mateo Cascayan was sentenced to fifteen (15) days imprisonment and to pay fifty pesos (₱50) to Rodolfo Respicio as damages, while Angela Cascayan was sentenced to one (1) month and one (1) day imprisonment and to pay the amount of one hundred pesos (₱100) to Rodolfo Respicio as damages. The spouses served the full penalty of their respective sentences.

In the instant administrative case, the respondent admitted that he made an annotation in the “Memorandum for Incumbrance” of the Original Certificate of Title No. 0-72, belonging to Mateo Cascayan, and affixed his own signature thereon without having been ordered by any competent court.

The respondent clearly abuse his power by jailing the complainants on June 16, 1966, in the absence of any valid complaint, utilizing the legal processes of his court to harass and oppress the complainants who refused to yield possession of the land which they legally believed to be theirs by virtue of the award given them by the Director of Lands on February 12, 1951, under Homestead Application No. V-592 (E-V-630).

Likewise, respondent’s failure to conduct a preliminary investigation contravenes Section 87, paragraph 5, of Republic Act No. 296, as amended by Republic Act No. 3828. He also failed to secure the written consent of the accused before trying the grave coercion case, in disregard of the provisions of Rule 137, Section 1, of the New Rules of Court. He displayed gross ignorance of the criminal law by convicting the complainants of grave coercion despite absence of evidence of violence. And he imposed the wrong penalty as provided for under Article 286 of the Revised Penal Code. Respondent is therefore found guilty of the charges.

The Secretary of Justice and the investigating Judge recommend that respondent be suspended for six months without pay. Considering the seriousness of the offenses committed, I believe he does not deserve to remain in the service.

Wherefore, Mr. Juan Bayuga is hereby removed from office as municipal judge of Flora, Apayao-Kalinga effective upon receipt of a copy of this order.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 188
REMOVING MR. DIONILO MARFIL FROM OFFICE AS MUNICIPAL JUDGE OF ESPERANZA,
MASBATE.

This is an administrative case lodged by Mr. Felix P. Casas, clerk of court, Municipal Court of Placer, Masbate, against Municipal Judge Dionilo Marfil of Esperanza, same province. It is alleged that respondent cashed and misappropriated a substantial portion of complainant's pay check in return for respondent's act of following up complainant's appointment papers in the Department of Justice, Manila. The case was investigated by the District Judge of Masbate.

Respondent explained that the special power of attorney executed by complainant authorizing him to follow up complainant's appointment includes the power to encash complainant's pay check.

On October 31, 1967, evidence for the complainant was received *ex parte* upon respondent's failure to appear thereat despite due notice. The Investigating Judge, however, reset the investigation for November 25 and December 23, 1967, and January 12, 1968, which were postponed at the instance of either party. On February 10, the Investigator intransferably set the case for hearing on March 8, 1968, but on this latter date both parties filed a joint motion for postponement asking that the case be reset to March 27, 1968, "on the ground that they are still discussing the possibility of settling their case amicably." This joint motion was denied, and for failure of respondent to adduce evidence, the case was deemed submitted for resolution. On June 4, 1968, the Investigator recommended that respondent be required by the Department of Justice to deliver to complainant the amount of ₱2,158.08 representing the balance of the amount due him.

A review of the records shows something that more than meets the eye and casts a stain on the integrity of respondent and his fitness for the bench.

An authority to follow up in Manila complainant's appointment as clerk of court of the Municipal Court of Placer was indeed given to respondent. Upon this authority, respondent received from the Department of Justice Treasury Warrant No. B-02, 171, 623 dated December 16, 1966, in the amount of ₱2,658.08, representing complainant's salary as clerk-stenographer of the Municipal Court of Placer from August 20, 1965, to December 15, 1966. Respondent encashed said warrant and merely gave the complainant ₱500, claiming that he spent no less than ₱1,500 for following up complainant's appointment papers in Manila.

Respondent's authority did not explicitly include the power to encash the check representing complainant's salary. And even if it did, respondent became a depository of the amount involved and he was bound to deliver to the complainant the full amount thereof. If, as respondent claimed, he had spent his own money in following up complainant's appointment, he should have asked complainant to reimburse him for such expenses. Respondent's confessed act of spending ₱1,500 of complainant's salary, without prior knowledge or authorization of the latter, and his blatant refusal to account for and pay the amount appropriated, constitutes a flagrant act of dishonesty wholly unbecoming his exalted position. This is accentuated by the fact that complainant is a lowly employee and a former subordinate of respondent.

In the determined effort of the Administration to purge the public service of corrupt and unscrupulous officials and employees and if only to serve as an object lesson to others who may be similarly inclined to take unfair advantage of their fellow-men, I am prompted to take drastic action against the respondent.

Wherefore, and as recommended by the Secretary of Justice, Mr. Dionilo Marfil is hereby removed from office as municipal judge of Esperanza, Masbate, effective upon receipt of a copy of this order. Said Secretary is directed to have appropriate criminal action instituted against respondent as the facts and circumstances may warrant.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 189
SUSPENDING MR. MARIANO C. ROSALES FROM OFFICE AS MUNICIPAL JUDGE OF
CORTES, SURIGAO DEL SUR.

This concerns Administrative Case No. 16, Jovencio Cubero, complainant vs. Mr. Mariano C. Rosales, Municipal Judge of Cortes, Surigao del Sur, respondent, charging the latter with abuse of authority and partiality. The case was formally investigated by District Judge Reynaldo P. Honrado of Surigao del Sur.

As a result of a fight in the public dancehall of Cortes, Surigao del Sur, where the protagonists were acting Chief of Police Dominador Silagan and complainant Jovencio Cubero, the latter suffered physical injuries. On July 17, 1968, Police Chief Silagan filed a complaint in respondent's court docketed as Criminal Case No. 411 against Cubero for assault upon an agent of a person in authority, while Cubero filed against Silagan a complaint for less serious physical injuries docketed as Criminal Case No. 412.

Both cases were set for hearing by respondent on August 14, 1968, On August 10, 1968, Atty. Victoria Cubero, as counsel for the accused in Criminal Case No. 412 and as special prosecutor in Criminal Case No. 411 filed two separate motions for postponement of the hearing on August 14, 1968, based on the identical ground that she had a murder case set for trial in the Court of First Instance of Surigao del Sur in which the accused was a detainee.

On August 14, 1968, respondent issued an order granting Cubero's motion for postponement of the hearing of Criminal Case No. 411 where Cubero was the accused, but denied the similar motion for postponement in Criminal Case No. 412 and thereupon dismissing Cubero's complaint.

The record further discloses that when Cubero's complaint for less serious physical injuries was brought by PC Sergeant Ponciano Monsenabre before respondent on July 20, 1968, the latter refused to accept or to docket the same and ordered that said complaint be first referred to the Provincial Fiscal of Surigao del Sur.

After a review of the record, I find respondent judge guilty of partiality and abuse of authority. His denial of complainant's motion to postpone the hearing of Criminal Case No. 412 where Cubero was the complainant and his granting of a similar motion in Criminal Case No. 411 where he was the accused show partiality. Both motions were founded on the same grounds and referred to the same hearing set on identical date and time. Respondent's action is worsened by his dismissal with prejudice of Cubero's complaint for less serious physical injuries (Criminal Case No. 412). His explanation that his order of dismissal was subject to a motion for reconsideration or an appeal is untenable because such order of dismissal was with prejudice, and the same could not be reconsidered without violating the rule on jeopardy.

Wherefore, and as recommended by the Secretary of Justice, Municipal Judge Mariano C. Rosales of Cortes, Surigao del Sur, is hereby suspended from office without pay for a period of two (2) months, with a warning that a repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 190
REMOVING MR. FELIX SANIEL FROM OFFICE AS MUNICIPAL JUDGE OF MAKILALA,
COTABATO.

This is an administrative case filed by Marion V. Abundo against Municipal Judge Felix Saniel of Makilala, Cotabato, for (1) bribery and/or extortion, (2) defiance and/or disobedience of law, (3) grave irresponsibility and/or serious imprudence and infidelity, (4) illegal exaction and (5) ignorance of law and abuse of discretion. Of these, the Secretary of Justice found respondent innocent of charges Nos. 3, 4 and 5.

Regarding charge No. 1, it has been established that on March 26, 1967, Pablo Villamor, accused in Criminal Case No. 724, paid respondent judge the sum of ₱210 representing damages and costs taxed against him; that out of said sum, ₱200 was to be paid to complaining witness Dionisio Omayao as consequential damages adjudged in the latter's favor; and that on the same date, respondent caused Omayao to sign a receipt for the sum of ₱200 without turning over the money. Believing that he would not be paid the ₱200 because respondent had spent the same, Omayao reported the matter to the chief of police for which he executed a sworn statement dated March 31, 1967 (Exhibit "F"). It was not until April 4, 1967, that respondent delivered the ₱200 to Omayao and remitted ₱10, representing costs, to the Bureau of Internal Revenue.

The amount of ₱200 received by the respondent was not bribe money, but evidently money due a party litigant in a case decided him and he spent it without authority. This transgresses Canon 5 of the Canons of Judicial Ethics which states: "A Judge's official conduct should be free from the appearance of impropriety, and his personal behaviour, not only upon the bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach".

Regarding charge No. 2, it appears that respondent found Elias Sardilo and Epifanio Manlangit, accused in Criminal Cases Nos. 316 and 320, respectively, guilty of "Destruction in the National Park" punishable under Section 8, Act No. 3951, as amended by Republic Act No. 122, with imprisonment for not less than four nor more than six months, fine of four times the regular government charges on the timber and other forest products so unlawfully destroyed, the eviction of the offender from the land, and the forfeiture in favor of the government of all timber or other forest products collected thereon. In Criminal Case No. 316, respondent sentenced Elias Sardido to pay a fine of ₱100.64 and Epifanio Manlangit was fined ₱119.24. The respondent reasons out that he did not order the eviction of the accused because an ocular investigation showed that there were no improvements of value in the portion occupied by them, and that they voluntarily abandoned the clearing upon knowing that it was part of the national park.

Respondent, however, omitted to impose the mandatory penalty of imprisonment. It is no excuse for him to say that only the penalty of fine was recommended by the prosecution, since the penalty of imprisonment is clearly required by the law.

The Secretary of Justice recommends that respondent be suspended from office for six months without pay. Considering the serious nature of the offenses committed by him which affects his

integrity and knowledge of the law, I believe he deserves to be dismissed. Wherefore, Mr. Felix Saniel is hereby removed from office as municipal judge of Makilala, Cotabato, effective upon receipt of a copy of this order.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 191
REMOVING MR. CEZAR ZAYAS FROM OFFICE AS MUNICIPAL JUDGE OF LUGAIT,
MISAMIS ORIENTAL.

This is an administrative case against Municipal Judge Cezar Zayas of Lugait, Misamis Oriental, filed by Provincial Fiscal Maximo G. Rodriguez of the same province for dishonesty, oppression, notoriously disgraceful conduct in office and incompetence. The case was formally investigated by District Judge Eduardo de G. Montenegro of the Court of First Instance of Misamis Oriental.

The complaint alleges that in the evening (8 p.m.) of December 28, 1967, respondent judge, in connivance with a certain BIR agent, Mario Edmilao, and an unidentified person from the NBI office in Iligan City, and with criminal intent to extort ₱2,000 from Lu Suy alias Sulpicio Lim, a Chinese national, commanded Patrolman Cleto Namatay of the Lugait police force to bring him to his house; that when the Chinese arrived in respondent's house, the person who introduced himself as an NBI agent demanded, in the presence of respondent and BIR agent Edmilao, that he give the amount of ₱2,000 previously asked. from him by NBI agent Servillano Mamauag Jr. of the Iligan NBI sub-office as consideration for the dropping of a projected criminal case against him for illegal use of an alias; and that Lu Suy did not accede to the demand but was, however, compelled by Agent Edmilao to pay ₱20 for the hire of a car used by said NBI agent and Edmilao from Iligan City to Lugait.

On the following day (December 29, 1967), respondent caused the filing of Criminal Case No. 166 (for using unregistered alias name) against Lu Suy after he and his co-conspirators failed to extort ₱2,000 from him on the mere strength of Edmilao's affidavit subscribed and sworn to before NBI agent Mamauag Jr. on December 6, 1967, without first conducting searching questions and answers of the witnesses as required by Section 89 of the Judiciary Act of 1948, as amended by Republic Act No. 3828, and upon realizing his mistake respondent corrected the error by requiring the same witness (Mario Edmilao) to execute another affidavit on January 3, 1968, or five (5) days after the complaint was filed.

Respondent then docketed the criminal complaint against Lu Suy in bad faith and in gross ignorance of the provisions of Commonwealth Act No. 142, otherwise known as the Anti-Alias Law, and in disregard of the decision of the Supreme Court in *People vs. Uy Jui Po* (G.R. No. L-11489, Dec. 23, 1957) because the allegations in the complaint do not constitute the offense as defined and penalized by said Act.

After going over the records of the case, I agree with the findings of the Investigating Judge and the Secretary of Justice that respondent's alleged connivance with BIR agent Edmilao and the unnamed NBI agent to extort ₱2,000 from Lu Suy has not been substantiated, it appearing that the attempted extortion was made at the Iligan NBI sub-office where the respondent was not present nor had any participation therein whatsoever. In connection with the amount of ₱20 for the hire of the PU car, it appears that Edmilao asked for it when Lu Suy, the NBI agent and himself were already out of respondent's house.

The charge that respondent caused the filing of Criminal Case No. 166 (for using an unregistered alien name) against Lu Suy based mainly on the affidavit of his alleged co-conspirator, BIB ardent Edmilao, is without merit. The record of said case (Exh. B) reveals that respondent on January 5, 1968, actually examined NBI agent Mamauag Jr., the municipal treasurer of Lugait and BIR agent Edmilao, as reflected in question and answer form, the authenticity of which was not impugned by complainant.

Equally groundless is the charge that in filing the case against Lu Suy for violation of the anti-alias law, respondent acted in ignorance of the provisions of Commonwealth Act No. 142 and the Supreme Court ruling in *People vs. Uy Jui Po*. As aptly stated by the Secretary of Justice, the mere act of a judge of entertaining and docketing complaints which, after evidence is adduced, are found not to allege an offense, is not censurable.

However, the records show that respondent knew as early as December 22, 1967, when the complaint against Lu Suy for unlawful use of an alias name was first presented to him, or at the latest on December 27 of the same year when said complaint was actually received by him, that Agent Edmilao was a principal state witness, as the latter's affidavit was attached to said complaint; that when Edmilao and an unnamed NBI agent went to respondent's house in the evening of December 28, 1967, respondent should have known that said persons were not there for any good or plausible reason; that in summoning Lu Suy to his house on that same evening of December 28, 1967, respondent provided the occasion for Edmilao and the NBI agent to give meaningful threats to Lu Suy to come across, otherwise the complaint against the latter would be filed; that respondent's conduct in allowing his house to be the scene of a "shakedown" (despite absence of proof of a conspiracy) is one not expected of a member of the Bench; and that respondent's actuation on December 29, 1967, of docketing the complaint against Lu Suy following the meeting in his house where Lu Suy refused to give in to the importunings of his tormentors and the issuance of a warrant for Lu Suy's arrest on January 3, 1968, shows that he had wittingly or unwittingly allowed his office to be used to further an evil plan devised by other public officers as a reprisal for Lu Suy's recalcitrance.

It is therefore clear that respondent's actuations are wanting in the proper observance of the norm of conduct expected of a member of the Bench. While there is no clear evidence that he was privy to the conspiracy to extort money from Lu Suy, respondent should have foreseen or at least suspected when he called Lu Suy to his house that Edmilao and the NBI agent were planning, as they did, to harass and threaten the alien. His failure to do so constitutes gross indiscretion and injudicious conduct tantamount to improper performance of his official duties. His conduct is considered a transgression of the Canons of Judicial Ethics, which provide:

"A Judge's official conduct should be free from the appearance of impropriety, and his personal behaviour, not only upon the bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach." (Canon 5.)

Although the Secretary of Justice recommends six months suspension without pay, I believe respondent deserves a stiffer penalty.

Wherefore, Mr. Cesar Zayas is hereby removed from office as Municipal Judge of Lugait, Misamis Oriental, effective upon receipt of a copy of this order.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 192
SUSPENDING MR. PASCUAL S. VALERA FROM OFFICE AS MUNICIPAL JUDGE OF
BAROTAC NUEVA, ILOILO.

This is an administrative case filed by Mr. Ireneo Panaguiton against Municipal Judge Pascual S. Valera of Barotac Nuevo, Iloilo, in connection with his decision in Criminal Case No. 209 (for damage to property thru reckless imprudence) sentencing the accused upon his plea of guilty to pay a fine of ₱30 plus costs without, however, taking into consideration that the damages claimed by complainant amounted to ₱3,000 more or less.

The facts are not disputed. When the criminal case was filed it was set by respondent for preliminary investigation. On the scheduled date the accused, with the agreement of complainant and his counsel, offered to plead guilty and to pay a fine of not more than ₱50, as they had already settled the matter amicably. Herein complainant, however, after more than three months following promulgation of the judgment, filed a motion to set it aside for lack of jurisdiction. Respondent denied the motion and a subsequent petition for reconsideration on the ground that the judgment had already become final.

After the instant case had been formally investigated by the District Judge, complainant in his letter of January 28, 1967, requested the Secretary of Justice that he be allowed to withdraw his complaint and to consider as dropped and closed the administrative case against respondent on the ground that he was convinced that respondent had acted in good faith in connection with his actuations in Criminal Case No. 209. The claim of good faith is nevertheless without sufficient basis because respondent admitted not only that he set the criminal case originally for preliminary investigation but that he objected to allowing the accused to plead guilty because he lacked jurisdiction to decide the case.

In view of the amount of damages alleged in the criminal complaint, the penalty of fines provided in Article 365 of the Revised Penal Code is from ₱3,000 to ₱9,000, the imposition of which falls under the jurisdiction of the Court of First Instance pursuant to Section 87 of the Judiciary Act (Republic Act No. 296. Such jurisdiction could not be assumed by respondent because jurisdiction over the subject matter in a judicial proceeding is conferred by law and in the manner prescribed by the same (*U.S. vs. Dela Santa*, 9 Phil. 22, 26). Neither could it be acquired by consent or acquiescence of any all of the parties or by an erroneous belief of the court that it exists (*People v. Martinez*, 76 Phil. 599).

As shown by the evidence, respondent allowed himself to be induced by the parties in the case to illegally assume jurisdiction and to decide it. I agree with the finding of the investigating Judge that respondent was negligent when he failed to have the criminal complaint amended in conformity with the amicable settlement of the parties to enable him to impose the proper penalty.

Wherefore, and as recommended by the District Judge with the concurrence of the Secretary of Justice, Municipal Judge Pascual S. Valera of Barotac Nueva, Iloilo, is hereby suspended from office without pay for one (1) month and warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 21st day of November, in the year of Our Lord., nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 193
REMOVING MR. JOSE P. SANTOS FROM OFFICE AS ASSISTANT PROVINCIAL
FISCAL OF RIZAL.

This is an administrative case filed by Capt. Jesus Labuguen and Joaquin Javier against Assistant Provincial Fiscal Jose P. Santos of Rizal for dishonesty and grave misconduct in office.

Sometime in 1958 Capt. Jesus Labuguen filed an estafa case against Joaquin Javier with the provincial fiscal's office of Rizal, docketed as I.S. No. 3348 and assigned to respondent Fiscal Santos for preliminary investigation. However, the parties agreed to an amicable settlement whereby Capt. Labuguen agreed to accept the return of ₱1,000 received by Javier as initial payment for the sale of a parcel of land which turned out to be claimed by other persons. Pursuant to the agreement, Javier deposited said sum with respondent in the presence of Tony Arnaldo sometime in November 1958 for delivery to Capt. Labuguen. In view of the failure of respondent to turn over the amount in question to Capt. Labuguen despite several promises made by the former, the instant case was filed with the Department of Justice.

The department investigator, after giving respondent opportunity to explain his side, set the administrative hearing sometime in February 1962. But prior to the scheduled formal hearing, complainant and respondent with their counsel reached a settlement that respondent would turn over to complainant Labuguen the sum of ₱1,000 and pay the additional sum of ₱700 as liquidated damages for expenses incurred by said complainant in his efforts for years to collect said sum from respondent. Said agreement, signed by Jesus T. Labuguen with the conformity of respondent Jose P. Santos, is evidenced by a receipt (Exh. "A") dated February 27, 1962. Respondent paid only or turned over the sum of ₱1,000 but not the additional amount agreed upon, thus prompting complainant Labuguen to prosecute the administrative case against respondent.

Respondent did not dispute having received the sum of ₱1,000 from Joaquin Javier as deposit to be delivered to Capt. Labuguen in settlement of the estafa case under the preliminary investigation by the former. Neither did he dispute that from November 1958 complainant Labuguen had continuously made demands for the delivery of said sum of ₱1,000 and that it was only on February 27, 1962, that complainant received the amount.

From the foregoing, it is evident that respondent is guilty of grave misconduct in office bordering on dishonesty in withholding – and presumably misusing – the sum of ₱1,000 deposited with him for a period of four years, to the prejudice of complainant Labuguen for whom the amount was supposed to be delivered in settlement of a criminal case under preliminary investigation by respondent. As aptly stated by the Secretary of Justice, "considering that the position or prosecuting attorney demands utmost honesty, it is apparent that the administration of justice will suffer in the hands of Assistant Provincial Fiscal Santos if he is allowed to continue in office."

Wherefore, and as recommended by the Secretary of Justice, Mr. Jose P. Santos is hereby removed from office as Assistant Provincial Fiscal of Rizal effective upon receipt of a copy hereof.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 194
SUSPENDING MR. CIRIACO C. BARTE FROM OFFICE AS MUNICIPAL
JUDGE OF BATO, LEYTE.

This is an administrative case filed by Mr. Luis Mendoza against Mr. Ciriaco C. Barte, Municipal Judge of Bato, Leyte, for falsification of daily time record, abuse of discretion, dishonesty and ignorance of the law and circular of the Department of Justice, consisting of nine (9) counts, which were formally investigated by Judge Bernardo Ll. Salas of the Court of First Instance of Leyte. Respondent is charged with having:

1. Falsified his daily time record by making it appear that he reported for duty on November 23, 1965, although he was absent;
2. Allowed himself to be a tool of politicians, and through the execution of false affidavits exerted a hand in the filing of Criminal Case No. R-566 for grave coercion against Mayor Justina K. Rosal and her son, with his wife as complainant, the affidavits supporting the said case never having been subscribed before the Municipal Judge of Matalom and respondent being the one who signed the warrant of arrest against the aforementioned Mayor and her son in violation of Rule 137 of the New Rules of Court;
3. Falsified his daily time record by making it appear that he reported for duty on October 23, 1965, from 8 A.M. to 12 noon;
4. Connived with Ex-Mayor Saturnino Aguilar by absenting himself from office on October 23 and 25, 1965, resulting in the detention of the accused Leonardo Rubillos an Antonio Baldez (Criminal Case No. 559) because of the Mayor's refusal to qualify the bondsman, although Salvador Aguilar, brother of the mayor and complainant in the case, should have been the accused for having shot the accused with a .45 caliber pistol;
5. Been either ignorant of the law or having abused his discretion by issuing the order dated February 11, 1966, confiscating the bail bond of Antonio Baldez, the accused in Criminal Case No. R-559;
6. Illegally collected the amount of ₱4 for copies of the complaint and the affidavits in Criminal CaseS Nos. 521 and 536. without any receipt from Demetrio Salabao, one of the accused in said cases;
7. Made a false statement in his decision in Criminal Case No. 518 entitled "People of the Philippines vs. Restituta Sudio et al." by stating therein that Paterno Torrente, one of the accused, testified during his trial although he never appeared in court;
8. Ordered the dismissal of the case entitled "People of the Philippines vs. Patrolman Francisco Julia" by making it appear that the complainant therein, Mrs. Justina K. Rosal, was no longer interested in prosecuting the case; and
9. Without due process abused his office by oppressing the spouses Castor and Fortunata Cillo to part with their property in connection with a loan obtained by them from respondent.

After a careful review of the records, I agree with the findings of the Secretary of Justice that counts 1, 2, 3, 4, 6, 7 and 8 should be dismissed for lack of merit, and that respondent is guilty under counts 5 and 9.

As to count 5, respondent judge is guilty of ignorance of the law for having ordered the confiscation of the bail bond of accused Antonio Baldez in Criminal Case No. 559 despite the fact that bondsman Justina K. Rosal was not duly notified of the hearing of said case. Respondent refused to lift his order of confiscation even after the bondsman had satisfactorily shown that she had not been notified thereof, as required by Section 15, Rule 114 of the New Rules of Court. The fact that accused Antonio Baldez was duly notified of said hearing and did not appear on trial does not make his bondsman liable because under the the cited provisions of the New Rules of Court, whenever the appearance of an accused in a criminal case is required by the court, it should notify his sureties to produce him in court on a given date. The law does not require personal notice to the accused (*Reyes vs. Alto Surety & Insurance Co., Inc. [CA], 51 O.G. 5711*). The rule requiring notice to bondsman is mandatory and negates discretion.

With respect to count 9, the records show that the spouses Castor and Fortunata Cillo borrowed from respondent the amount of ₱60 with their land as collateral therefor; that due to their failure to pay the interests of the loan respondent caused them to execute on December 15, 1964, a promissory note for ₱100; that part of said loan was paid in the amount of ₱20; and that when the land was sold at public auction for ₱800 to Felisa Sanoria, respondent deducted therefrom ₱100 or an excess of ₱20 in satisfaction of his claim. Respondent's actuations in showing personal interest in the satisfaction of his claim from the proceeds of the auction sale, coupled with the fact that he failed to return the excess of ₱20 of such claim, constitutes improper conduct which is not in keeping with the high moral standards demanded of his office.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Ciriaco C. Barte is hereby suspended from office as Municipal Judge of Bato, Leyte, for three (3) months without pay, effective upon receipt of a copy of this order, with a warning that repetition of similar acts will be dealt with more severely.

Done in the City of Manila, this 21st day of November, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 195
CREATING A SPECIAL COMMITTEE TO STUDY THE TOURIST INDUSTRY

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to study the problems of the tourist industry and to recommend measures for promoting the industry and maximize its contribution to the national economy, composed of the following:

The Executive Secretary -----	Chairman
The Secretary of Commerce and Industry-----	Member
Atty. Teodoro Valencia -----	Member
The Director of Civil Aviation-----	Member
Miss Nimia Arroyo -----	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government including government owned or controlled corporations for such assistance as it may need for the accomplishment of its task.

It shall submit its report and recommendations to the President within 60 days.

Done in the City of Manila, this 4th day of December, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 196
PROVIDING FOR SPEEDY IMPLEMENTATION OF THE TEXTBOOK PRODUCTION
PROGRAM OF THE DEPARTMENT OF EDUCATION.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby order;

1. All government purchases of privately-authored basic textbooks in the elementary and high school, if such textbooks have been adopted by the Board on Textbooks through the regular competitive adoption procedures, shall be considered as having complied with the public bidding requirements prescribed under Executive Order No. 298, s. 1940, as amended, and may therefore be ordered from their respective publishers at prices approved by the Board on Textbooks.

2. An Advisory Committee of the Special Project Group for Textbooks is hereby created to be composed of the Director of Public Schools as Chairman, the Assistant Director of Public Schools (Promotional Activities) as Vice Chairman, and a representative each from the Department of General Services, Department of Education and Bureau of Public Schools, to be designated by the head of Office concerned, as members.

3. Upon the recommendation of the Advisory Committee of the Special Project Group for Textbooks, printing contracts of textbooks programmed for production in a given Fiscal Year with a value of not more than ₱500,000.00 shall be approved by the Secretary of Education. Contracts valued over ₱500,000.00 will be submitted for approval to the Permanent Cabinet Committee on Public Bidding.

4. The printing of textbooks teacher's guides, teachers' manuals and other teaching materials published by the Bureau of Public Schools which can not be made by the Bureau of Printing shall, upon approval of the Advisory Committee, be awarded to private printers through public bidding, the same to be approved by the Secretary of Education.

Done in the City of Manila, this 4th day of December, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 197
CREATING A SPECIAL RIZAL DAY CELEBRATION COMMITTEE

In order to ensure the successful celebration throughout the Philippines of this year's death anniversary of Dr. Jose P. Rizal on December 30, there is hereby created a special committee to take charge of all arrangements for the festivities composed of the following:

Secretary Onofre D. Corpuz.....	Chairman
Press Secretary Francisco Tatad.....	Member
Budget Commissioner Faustino Sy-Changco	Member
Undersecretary Manuel Syquiao	Member
Labor Undersecretary Raoul Inocentes	Member
Defense Undersecretary Alejandro Melchor	Member
Assistant Executive Secretary Flores Bayot	Member
Acting Undersecretary Juan Manuel	Member
OEC Deputy Administrator Severino Salang	Member
Mayor Antonio J. Villegas.....	Member
BTTI Commissioner Gregorio Araneta II.....	Member
Dr. Vitaliano Bernardino (Knights of Rizal)	Member
Mrs. Carmen Guerrero Nakpil (National Historical Commission).....	Member
Mrs. Leticia P. de Guzman (Civic Assembly of Women of the Philippines .	Member
Mr. Teodoro F. Valencia	Member
Mr. Aguinaldo C. Maaba	Member-Secretary

The Committee shall meet at the call of the Chairman and for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 8th day of December, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 198
REQUIRING THE PROMPT SUBMISSION OF ANNUAL STATEMENTS ON THE FINANCIAL
CONDITIONS AND OPERATIONS OF GOVERNMENT-OWNED AND CONTROLLED
CORPORATIONS.

Pursuant to the powers vested in me by law, and in order that the annual audit report on the financial condition and the results of operations of all government-owned or controlled corporations can be prepared within sixty days after the close of the fiscal year or as early as practicable and serve its useful purpose to management, I, FERDINAND E. MARCOS, President of the Philippines, do hereby direct that the Chief Accountant or the official in charge of the accounting service of every government corporation shall submit, within thirty days after the close of each fiscal year, to the Auditor or the Representative of the Auditor General the statement of the financial condition (balance sheet) and the statement of the results of operations (income statements), together with the pertinent schedules and such other financial data as may be needed by the Auditor.

The General Manager or Managing Head of every government corporation shall be responsible for the strict implementation of this order.

Failure on the part of the General Manager or Managing Head and the Chief Accountant or the official in charge of the accounting service of the corporation to submit the financial statements and data pertaining to its fiscal operation or activities shall be a ground for administrative action.

Done in the City of Manila, this 8th day of December, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 199
CREATING A COMMITTEE TO TAKE CHARGE OF THE PRESIDENTIAL INAUGURATION
ON DECEMBER 30, 1969

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Committee to take charge of the Presidential Inauguration on December 30, 1969. The Committee shall be composed of the following:

Secretary Carlos P. Romulo)	–	Co-Chairmen
Secretary Ernesto M. Maceda)		
Representative of Senate President Gil J. Puyat	–	Member
Representative of Speaker Jose B. Laurel, Jr.	–	Member
Secretary O. D. Corpuz	–	Member
Secretary Blas F. Ople	–	Member
Administrator Constancio Castañeda	–	Member
Press Secretary Francisco Tatad	–	Member
Commissioner Faustino Sy-Changco	–	Member
Governor Isidro Rodriguez	–	Member
Governor Benjamin Romualdez	–	Member
President Roberto S. Benedicto	–	Member
Commissioner Gregorio Araneta	–	Member
General Manuel T. Yan	–	Member
Mayor Antonio Villegas	–	Member
Vice-Mayor Felicisimo Cabigao	–	Member
Mrs. Lourdes S. Villacorta	–	Member

The Committee shall meet at the call of either of the Chairmen and, for the purpose of discharging its functions, may create such subcommittees as may be necessary.

The Committee shall see to it that the Inauguration be as simple as possible with the minimum expenditure of public funds.

The Committee is hereby empowered to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in discharging its duties.

Done in the City of Manila, this 19th day of December, in the year of Our Lord, nineteen hundred and sixty-nine.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1969). *[Administrative Order Nos.: 1 - 199]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 200
REVISING ADMINISTRATIVE ORDER NO. 182 DATED OCTOBER 31, 1969, ENTITLED
“CREATING THE PRESIDENTIAL COORDINATING COMMITTEE FOR SOCIAL JUSTICE
AND AGRARIAN REFORMS.”

Administrative Order No. 182 dated October 31, 1969, is hereby revised –

(a) by amending the fourth paragraph to read as follows:

“NOW, THEREFORE, by virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a body to be known as the Presidential Coordinating Committee for Social Justice and Agrarian Reforms composed of the following: the Chairman of the National Land Reform Council, as Chairman, and the Undersecretaries of Justice, Agriculture and Natural Resources, Public Works and Communications, and the Presidential Agency on Reforms and Government Operations; the Dean of the U.P. College of Agriculture; the Commissioner of the Small Farmers’ Commission; the Chairman of the Philippine Press Institute; and three representatives of the Federated Movement for Social Justice and Reforms, as members. In the absence of any of the aforementioned public officials and citizens, a duly authorized representative may attend the meeting on his behalf. The Committee shall choose a Vice-Chairman and such other officers as may be needed. It may also adopt its internal rules of procedure.”

(b) by modifying the sixth paragraph to read as follows:

“The Committee shall receive all complaints of the farmers, tenants, lessees, small owner-cultivators and agricultural workers belonging to and/or affiliated with the FMSJR group, and it shall forward and follow up such complaints and cases with the proper government offices for immediate appropriate action. Whenever necessary, the Committee may conduct a fact-finding investigation, including the taking of testimony, and may administer oaths and summon witnesses or require the production of documents under a subpoena duces tecum under Sections 71 and 580 of the Revised Administrative Code. For this purpose the PARGO may be utilized by the Committee in order to expedite the proceedings. The Committee may recommend the adoption of solutions to the problem brought out by such complaints.”

Done in the City of Manila, this 13th day of January, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ERNESTO M. MACEDA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 – 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 201

CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCE OF CAGAYAN ON THE ONE HAND AND THE
PROVINCES OF ISABELA, KALINGA-APAYAO AND ILOCOS NORTE ON THE OTHER.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a technical committee to undertake the necessary study, investigation and survey of the boundary line between the province of Cagayan on the one hand and the provinces of Isabela, Kalinga-Apayao and Ilocos Norte on the other with a view to determining its true and correct location, composed of the following:

Director, Bureau of Coast & Geodetic Survey.....	Chairman
District Forester of Cagayan.....	Member
District Land Officer of Cagayan	Member
Highway District Engineer of Isabela	Member
District Forester of Isabela	Member
District Land Officer of Isabela	Member
Highway District Engineer of Isabela	Member
District Forester of Kalinga-Apayao.....	Member
District Land Officer of Kalinga-Apayao	Member
Highway District Engineer of Kalinga-Apayao	Member
District Forester of Ilocos Norte.....	Member
District Land Officer of Ilocos Norte	Member
Highway District Engineer of Ilocos Norte	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to this Office, furnishing the Provincial Boards of the provinces involved, a report of its accomplishments together with its recommendation within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the aforementioned provinces.

Done in the City of Manila, this 29th day of January, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 202
CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF PANGASINAN AND TARLAC.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Technical Committee to undertake the necessary study, investigation and survey of the boundary line between the provinces of Pangasinan and Tarlac with a view to determining its true and correct location, composed of the following:

Director, Bureau of Coast and Geodetic Survey	Chairman
District Forester of Pangasinan.....	Member
District Land Officer of Pangasinan	Member
Highway District Engineer of Pangasinan	Member
District Forester of Tarlac.....	Member
District Land Officer of Tarlac	Member
Highway District Engineer of Tarlac	Member

The Committee may call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in the performance of its task.

The Committee shall complete its work and submit to this Office, furnishing the Provincial Boards of the two provinces involved a report of its accomplishments together with its recommendation within a period of six (6) months from the date hereof.

All expenses incurred by the Committee in the execution of its task shall be borne share and share alike by the provinces of Pangasinan and Tarlac.

Done in the City of Manila, this 29 day of January, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ERNESTO M. MACEDA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 203
CREATING A COMMITTEE TO LOOK INTO ALL EDUCATIONAL FOUNDATIONS ASSISTED
BY UNITED STATES FUNDS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to look into all educational foundations supported by United States funds to determine the effects, extent and necessity for the further continuance of such programs, composed of the following:

Secretary Onofre D. Corpuz	Chairman
(Department of Education)	
Undersecretary Manuel Collantes	Member
(Department of Foreign Affairs)	
Undersecretary Raoul M. Inocentes	Member
(Department of Labor)	
Dr. Guillermo C. de Vega.....	Member
(Office of the President)	
Mr. Rizalino Pablo	Member
(National Economic Council)	
Dr. Manuel Alba.....	Member
(Presidential Commission on the Survey of Education)	
Mr. Alfredo Pio de Roda	Member
(Presidential Economic Staff)	

The committee is hereby empowered to call upon any government department, bureau, office, entity or instrumentality for such assistance as it may need in the accomplishment of its task.

The committee shall submit its report to the President as soon as practicable.

Done in the City of Manila, this 14th day February, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 204

AMENDING ADMINISTRATIVE ORDER NO. 175 DATED JULY 14, 1969, ENTITLED
“CREATING A COMMITTEE TO INVESTIGATE THE CHARGES OF THE PROVINCIAL
GOVERNOR OF PANGASINAN AGAINST LICERIO P. SENDAYDIEGO, PROVINCIAL
TREASURER OF THE SAID PROVINCE”.

Administrative Order No. 175, dated July 14, 1969, is hereby amended by empowering the same committee created therein to investigate the administrative charges filed by the Provincial Governor of Camarines Norte against Provincial Treasurer Esteban Echano of said province.

Done in the City of Manila, this 21st day of February, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 205
REMOVING MR. MONICO D. CLEMEÑA FROM OFFICE AS CHIEF OF POLICE OF
GINGOOG CITY.

This is an administrative case filed by Ex-Mayor Domingo G. de Lara of Gingoog City against Chief of Police Monico D. Clemeña for serious irregularities (falsification of public document), specifically stated as follows:

“That on or about the 11th day of July 1961, in the City of Gingoog, Philippines, and within the supervision of this Office, the above-named accused Monico D. Clemeña, being then the incumbent and an ad-interim appointee Chief of Police of Gingoog City, with intent to defraud and deceive the Commission on Appointments did then and there willfully, unlawfully and feloniously fill up and state on the blanks in the Personal Information Sheet of the Office of the Commission on Appointments that he attended in 1926 second year college at San Carlos, Cebu City, and a second grade civil service in 1931 and did subscribe and swear as to the truth of those statements before then acting City Mayor of Gingoog City, Arturo S. Lugod, when in fact and in truth, said accused fully knew that said statements were false and not true and made solely to convince the Commission on Appointments in the month of May 1962.”

About the same time a criminal case was filed against respondent with the Court of First Instance of Misamis Oriental which was, however, dismissed by the court for lack of evidence.

The administrative complaint, which had been filed with the Police Commission, was referred to the Board of Investigators for appropriate action. However, the Board called the attention of the Police Commission that the respondent, being a presidential appointee, was not within its jurisdiction to investigate. The Police Commission then requested, and was given, authority from the President to create an ad hoc committee to conduct a formal investigation.

The record discloses that respondent Monico D. Clemeña was appointed chief of police of Gingoog City on June 9, 1961 and his appointment was confirmed on May 3, 1962; and that on January 31, 1967, or about five years after his appointment, Ex-Mayor De Lara filed this administrative complaint. When the ad hoc committee commenced the investigation, complainant formally requested the dismissal of the case against respondent on the ground that he and his witnesses were no longer interested in further prosecuting respondent. Notwithstanding this manifestation of the complainant, the Board proceeded with the investigation which elicited the following:

With regard to the statement by respondent that in 1926 he was enrolled as second year college at San Carlos University, the records of said university presented during the investigation and corroborated by the testimony of the Vice-President, the Chief of the Records Section and the

Registrar of said university, indisputably show that respondent never studied and/or graduated from said university, as stated in his information sheet.

As to his statement about his civil service eligibility, the records of the Civil Service Commission which was presented at the hearing and bolstered by the testimony of the Chief Examiner of the commission, show that respondent never applied for or took the police examination given by the Civil Service Commission from 1929 to 1968 either in Manila or in Cagayan de Oro City. What appears in the records is that he took the third grade civil service examination on May 11, 1929, which he passed. He likewise took the second grade civil service examination on January 5, 1935 but failed as he obtained only twenty percent (20%) in Arithmetic.

The only defense presented by respondent was the dismissal order of the court in the criminal case filed against him under the same facts.

From the above findings, the conclusion is inevitable that respondent is guilty as charged, his acts constituting dishonesty and misconduct as found by the Police Commission.

An administration bent on purging the public service of dishonest and unscrupulous officials and employees cannot treat this case with leniency, and if only to serve as an object lesson to others who may be similarly inclined, I am constrained to take drastic action against the respondent.

Wherefore, and as recommended by the Police Commission, Mr. Monico D. Clemeña is hereby removed from office as Chief of Police of Gingoog City effective as of the date of his preventive suspension.

Done in the City of Manila this 21st day of February, in the year of Our Lord nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 206
SUSPENDING FROM OFFICE JUDGE SEVERIANO DE LEON OF THE COURT OF AGRARIAN
RELATIONS PENDING INVESTIGATION AND DISPOSITION OF THE ADMINISTRATIVE
CHARGES AGAINST HIM.

This refers to certain administrative charges filed against Judge Severiano de Leon of the Court of Agrarian Relations, to wit:

- (1) A.C. No. 144-J - For serious misconduct in office, misuse of government property and time, and working for a party-litigant in a case before his Court;
- (2) A.C. No. 146-J - For rendering judgment under suspicious circumstances; knowingly rendering an unjust judgment; wilfull and deliberate non-payment of just debts; and immorality;
- (3) A.C. No. 147-J - For gross ignorance of the law; indulging in questionable sidelines thru misuse of government property, time and personnel;
- (4) A.C. No. 149-J - For soliciting rice and fighting cocks from petitioner and for serious misconduct;
- (5) A.C. No. 150-J - For grave misconduct; soliciting and receiving money and rice in consideration of a favorable decision in favor of defendant in CAR Case No. 3277; and
- (6) A.C. No. 154-J - For serious misconduct - rendering judgment motivated by monetary and immoral considerations.

In addition, there are three (3) other administrative cases against respondent Judge, namely, Administrative Cases Nos. 155-J, 158-J and 159-J for serious misconduct consisting of alleged excessive gambling on his part even without sufficient funds thus forcing him to borrow money from others and forcing people to play with him and/or to provide him with gambling facilities, scandalous fraternization with a party-litigant and willful and malicious rendition of an unjust judgment.

The charges in all these cases seriously affect the integrity of respondent Judge, as well as the good name of his office and its efficacy as an instrumentality of the people's welfare; and the proper investigation of said charges would require the introduction of oral evidence, consisting *inter alia*, of the testimony of parties in cases under respondent's jurisdiction, lawyers practising before his court or "sala" and his own court personnel, as stated in a memorandum of counsel for the petitioners dated November 3, 1969, and reiterated at the hearing held on January 19, 1970, before an Associate Justice of the Court of Appeals to whom the aforementioned administrative cases have been referred for investigation, report and recommendation, as well as in a "manifestation" dated January 24, 1970, filed by the same counsel.

In a communication to the Supreme Court dated January 30, 1970, said Associate Justice of the Court of Appeals, to whom petitioners' motion for the preventive suspension of respondent Judge had

been referred for comment, recommends favorable action on said motion in which the Supreme Court concurs under its resolution dated February 18, 1970.

WHEREFORE, and as recommended by the Supreme Court, the Honorable Severiano de Leon, Judge of the Court of Agrarian Relations, is hereby suspended from office effective upon his receipt of a copy of this order pending investigation and disposition of the charges against him.

Done in the City of Manila, this 23rd day of February, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 207
CONSTITUTING THE PHILIPPINE TECHNICAL PANEL TO NEGOTIATE WITH ITS U.S.
COUNTERPART AN AGRICULTURAL COMMODITIES AGREEMENT.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby constitute the Philippine Technical Panel to negotiate with its U.S. counterpart an agricultural commodities agreement under U.S. Public Law 480, as amended, composed of the following:

Mr. Apolinario Orosa, Presidential Economic Staff	Chairman
Mr. Sergio Barrera, Department of Foreign Affairs.....	Member
Mr. Bienvenido Villavicencio, National Economic Council	Member

Done in the City of Manila, this 28th day of February, in the year of Our Lord, nineteen hundred seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 208
EXONERATING CAPTAIN ARTURO R. ILAGAN, FORMER MEMBER OF THE BOARD OF
EXAMINERS FOR MARINE OFFICERS.

This is an administrative case against Captain Arturo R. Ilagan, former member of the Board of Examiners for Marine Officers whose term of office expired on August 21, 1969, for dishonorable conduct consisting of two counts: (1) falsifying his service records, particularly Item 12 thereof, and (2) making false entries in Item 17 of his information sheet, as contained in the investigation report of the Commissioner of Civil Service in his capacity as Executive Officer of the Boards of Examiners based on the letter of Board Chairman Enrique J. Mora dated May 13, 1968, concerning alleged acts of falsification committed by respondent. The charges were formally investigated by the Presidential Investigating Committee (composed of Chairman Gaudencio Garcia and Members Edilberto Barot and Ramon C. Fernandez), which found the charges without merit and recommended respondent's exoneration, with the admonition to be more careful in the future in the preparation of documents similar to his information sheet.

As regards the first count, the following data appear under Item 12 of respondent's information sheet:

<u>Inclusive dates</u>	<u>Position held</u>	<u>Name & address of employer</u>
1945-1946	3rd Mate	Port Area, Manila, USATS
1946-1947	2nd Mate	Port Area, Manila, AFL
1947-1948	Chief Mate	Port Area, Manila, LUSTEVECO
1948-1951	2nd Mate	Hongkon, EVERETT ORIENT LINES
1951-1966	Asst. Port Captain	205 Juan Luna, CIA MARITIMA

The point at issue is whether or not respondent actually served as second mate and chief mate with the Everett Orient Lines in Hongkong for the period 1948-1951.

During the hearing complainant (Board Chairman Mora) presented as witness Port Capt. Federico Pajaro of the Philippine Steam Navigation Company who had issued a certification to the effect that there was no record of service of respondent as deck officer in the Everett Orient Lines. The captain testified that the Everett Orient Lines is a foreign corporation and the Philippine Steam Navigation Company acts as its agent in Manila and supplies its principal with deck officers upon request. However, upon cross-examination and when confronted with the report of the Commissioner of Civil Service (Exh. "D"), more particularly paragraph four thereof, which states:

"Another certification was submitted to this Office by the Marine Superintendent of Everett Steamship Corporation, Kobe, Japan, stating among other things, that Capt. Arturo R. Ilagan served as chief mate and second mate for about three (3) years from 1949-1951 in that company."

the said witness admitted that this certification was issued on the basis of the records of the Everett Steamship Corporation.

As between the certification of Capt. Pajaro and his testimony at the hearing and the certification by the marine superintendent of the Everett Steamship Corporation, Kobe, Japan, as regards respondent's service record with Everett, the Investigating Committee correctly found the latter more credible, it appearing that in Item 12 of respondent's information sheet there was no mention whatsoever of his service with the Philippine Steam Navigation Company. Moreover, it appears from another certification of the same company that the records of the Everett Lines are no longer available and that the records thereof for the years 1949-1951 (the period in dispute) are not kept in the company's office.

With respect to the second count, the following entries appear under Item 17 of respondent's information sheet:

<u>Title of Examination</u>	<u>Date of Examination</u>	<u>General Rating</u>	<u>Rank in the Examination</u>
Third Mate	January '46	79.5	Topnotcher
Second Mate	January '47	80.3	Topnotcher
Chief Mate	January '51	77.97	Topnotcher
Master	January '54	76.51	Topnotcher

On the other hand, the official records of the Civil Service Commission show the following:

<u>Grade</u>	<u>Date of Exam.</u>	<u>Rating Obtained</u>	<u>Number of</u> <u>Examinees</u>	<u>Number</u> <u>Passed</u>	<u>Rank from</u> <u>Highest Rating</u>
3rd Mate	Jan. 1946	79.54	7	6	2nd
2nd Mate	Aug. 1947	89.51	39	39	13th
Chief Master	Jan. 1951	77.97	19	14	5th
Master	Jan. 1954	76.51	20	2	2nd

Complainant sought to prove from the official records of the Civil Service Commission that respondent had never been number one or first in any of the four examinations above-mentioned and could not therefore have been a topnotcher. Respondent, however, satisfactorily explained that the word "Topnotcher" under the column "Rank in the Examination" meant that he was among the top ten or above the median and that he did not intend to deceive or mislead the Civil Service Commission by using that word knowing, as he does, that the Commission could check his grades or ratings in said examinations any time it wants to.

There is an apparent discrepancy in the dates and ratings for the second mate examination as appearing in the information sheet of respondent and in the official record of the Civil Service Commission, for whereas, the information sheet states that said examination was taken in January 1947 with respondent obtaining a general rating of 80.3%, the official record shows that he took it in August 1947 with a rating of 89.51% and placed 13th out of a total of 39 examinees. Respondent, it is true, was not among the first ten but his grade in this particular examination was above the median. I agree with the Investigating Committee that since respondent placed in his information sheet a rating of 80.3% only when he really got 89.51%, his act of downgrading himself does not constitute misrepresentation. At any rate, the records show that respondent in four examinations taken by him got two second places, one is 5th place, with a 13th place in a fourth examination. The possibility that

respondent committed a mistake in good faith concerning the August 1947 examination by stating that he was a topnotcher, as he did in connection with his rating therein, cannot be totally discounted.

In view of all the foregoing, and upon the recommendation of the Investigating Committee, Captain Arturo R. Ilagan, is hereby exonerated from the charges, with the admonition to be more careful in the future in the preparation of documents similar to his information sheet.

Done in the City of Manila, this 17th day of March, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 209
CREATING A COMMITTEE TO IMPROVE FOREIGN AND DOMESTIC TRAVEL
INFORMATION SYSTEM.

WHEREAS, there is a need for the national government to improve its Foreign and Domestic Travel Management Information System in the promotion of Tourism in the country; and

WHEREAS, this task calls for the coordinated action of different agencies and instrumentalities of the government;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee for this purpose to be composed as follows:

Executive Secretary.....	Chairman
Commissioner, Bureau of Immigration.....	Member
Commissioner, Board of Travel and Tourist Industry	Member

In the performance of its functions, the Committee shall be guided by the following:

1. The Bureau of Immigration shall make available the Embarkation and Debarkation Cards to the PES-DND Computer Center for computer processing and shall provide the personnel necessary for the efficient manual processing of said documents;
2. The PES-DND Computer Center shall provide computer facilities and computer expertise for the efficient data processing of the system;
3. The Board of Travel and Tourist Industry shall provide input machines and operators necessary for the efficient processing of input data related to the System; and
4. The Board of Travel and Tourist Industry and the Bureau of Immigration shall shoulder the direct expenses incurred in connection with the development and operation of the Foreign and Domestic Management Information System.

To ensure the expeditious scheduling, planning and operation of the Foreign and Domestic Travel Management Information System, the Committee may issue implementing instructions for the purpose.

Done in the City of Manila, this 21st day of March, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 210
RECONSTITUTING THE EXCHANGE VISITOR PROGRAM COMMITTEE

Pursuant to the authority conferred upon me by law, recognizing the scope of work of the Committee which also screens applicants to the United States Exchange Visitor Program other than doctors and nurses, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reconstitute the Exchange Visitor Program Committee to be composed of the following:

Secretary of Foreign Affairs	- Chairman
Secretary of Health	- Co-Chairman
Undersecretary of Education	- Member
Undersecretary of Foreign Affairs	- Member
Undersecretary of Labor	- Member
Undersecretary of National Defense	- Member
Assistant Executive Secretary, Office of the President	- Member

This supersedes Administrative Order No. 191 dated April 3, 1956.

Done in the City of Manila, this 21st day of March, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 211
AMENDING ADMINISTRATIVE ORDER NO. 50 DATED APRIL 18, 1967, ENTITLED
“CREATING A PRESIDENTIAL INVESTIGATION COMMITTEE.”

I, ALEJANDRO MELCHOR, Acting Executive Secretary, by order of the President of the Philippines, do hereby amend Administrative Order No. 50, dated April 18, 1967, so as to authorize the Chairman or any member thereof to summon witnesses, administer oaths and take testimony of evidence relevant to the investigation of any case assigned to him by the Committee. The deliberations on a case and the recommendation thereon shall be made by the Committee as a body or by at least two members.

Done in the City of Manila, Philippines, this 25th day of March, in the year of Our Lord, nineteen hundred and seventy.

By order of the President:
(Sgd.) **ALEJANDRO MELCHOR**
Acting Executive Secretary

By the Acting Executive Secretary:
(Sgd.) **ROBERTO V. REYES**
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 212
CREATING A COMMITTEE TO EFFECT AN EARLY RESOLUTION OF THE LAND DISPUTES
IN THE TONDO FORESHORE AREA.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to effect an early resolution of the land disputes in the Tondo Foreshore Area, composed of the following:

Undersecretary Guillermo Santos	Chairman
(Department of Justice)	
Deputy Governor Ernesto Valdez	Member
(Land Authority)	
Undersecretary Petra de Joya.....	Member
(Department of Social Welfare)	

The Committee shall conduct public hearings to establish the legitimacy of claims on disputed lots. Its findings shall be used as the basis for the distribution of lots to qualified applicants to be made by the Land Authority as provided by law.

Done in the City of Manila this 30th day of March, in the year of our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 213
CREATING A COMMITTEE TO STUDY BUDGETING CONCEPTS AS THEY RELATE TO
NATIONAL PLANS AND PROGRAMS.

WHEREAS, it has been the experience that the budget as prepared has often been at variance with, or does not adequately provide for, national plans and programs;

WHEREAS, it is imperative that, in order to have reasonable assurance that development goals of the country may be realized within its limited resources, the budget should be formulated in such a way that it shall truly reflect income resources and provide needed financial support for duly approved national plans and programs;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to study budgetary concepts reflecting national plans and programs including those of local government entities, to be composed as follows:

Mr. Apolinario Orosa, Presidential Economic Staff -----	Chairman
Mr. Angel Yoingco, Joint Legislative Executive Tax Commission-----	Member
Mr. Ramon Tiaoqui, Central Bank-----	Member
Mr. Marcelino Yumul, GAO -----	Member
Mr. Honesto Mendoza, Senate Technical Staff on Economics and Finance ----	Member
Mr. Silvestre Sarmiento, Budget Commission -----	Member
Dr. Jaime Laya, U.P. -----	Member
Dr. Agustin Kintanar, U.P.-----	Member

The Committee shall have the following functions and objectives:

1. To resolve the existing conflicts between plans, programs and budgets with the end in view of establishing a rationale between income and expenditures and to ensure realistic allocation of resources in accordance with priorities established by national planning agencies.

2. To formulate policies and procedures as well as a reporting system by which the planning, programming and budgeting functions of the government and its instrumentalities can be coordinated effectively.

3. To recommend necessary legislation and other measures as may be necessary toward the accomplishment of the foregoing objectives.

The Committee is hereby empowered to form such technical group as may be needed to conduct research and special studies for the Committee.

All heads of departments, bureaus, offices, agencies and instrumentalities of the government, including government-owned or controlled corporations are hereby required to extend full support and assistance to the Committee.

The Committee shall submit its recommendations to the President on or before April 30, 1970.

Done in the City of Baguio, this 31st day of March, in the year of our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 214
CREATING A COMMITTEE TO UNDERTAKE THE PREPARATIONS FOR THE
INAUGURATION OF THE “DAMBANA NG KAGITINGAN” ON APRIL 9, 1970.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to undertake the preparations for the inauguration of the “DAMBANA NG KAGITINGAN” on April 9, 1970, composed of the following:

Undersecretary Manuel Q. Salientes, DND-----	Chairman
Commissioner Gregorio Araneta II, BTTI-----	Vice Chairman
Defender Rizalino P. Lacuna, DBC National Commander -----	Member
Undersecretary Mariano Dy Reyes, DPWC -----	Member
General Manuel T. Yan, AFP-----	Member
Director Jose Viado, Parks & Wildlife Office -----	Member
Colonel Manuel A. Acosta, NSC -----	Member Secretary

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 215
CREATING AN EXECUTIVE COMMITTEE FOR THE 21ST COLOMBO PLAN CONSULTATIVE
COMMITTEE MEETING.

WHEREAS, the Philippine Government offered to host the 21st Colombo Plan Consultative Committee Meeting which has been scheduled from 16 to 29 November 1970, including Officials' and Ministers' Meetings as well as Post-Conference Tours;

WHEREAS, the offer was accepted by the participating countries at the 20th Colombo Plan Meeting held in Canada in October 1969; and

WHEREAS, to ensure the success of the Meeting at which delegations from 24 countries headed by Ministers of Cabinet level shall be attending, there is a need to create an Executive Committee to take charge of all the necessary arrangements.

NOW THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby designate the following to compose the Committee for the purpose indicated herein:

- | | | |
|----------|---|--|
| Chairman | - | Honorable Manuel Collantes
Undersecretary of Foreign Affairs |
| Members | - | Honorable Efren Plana
Undersecretary of National Defense |
| | - | Honorable Juan Manuel
Acting Undersecretary of Education |
| | - | Honorable Jacobo Clave
Presidential Executive Assistant
Office of the President |
| | - | Honorable Ponciano Mathay
Acting Assistant Executive Secretary
Office of the President |
| | - | Honorable Rizalino R. Pablo
Executive Director
National Economic Council |
| | - | Honorable Antonio J. Villegas
Mayor, City of Manila |
| | - | Mr. Antonio de la Torre
Chief Budget Analyst
Budget Commission |

The Executive Committee is hereby authorized to organize the necessary working committees, establish a Secretariat to implement plans and policies, and undertake such other activities as may be needed to ensure the success of the 21st Colombo Plan Consultative Committee Meeting.

The Executive Committee is further authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions; and furthermore, to draw upon funds made available for the purpose in accordance with law.

The Secretariat shall be headed by the Honorable Manuel Collantes as Secretary-General to be assisted by the Honorable Apolinario Orosa, who shall act as Deputy Secretary-General for Proceedings, and by the Honorable Alberto Katigbak, Director of Protocol of the Department of Foreign Affairs, who shall act as Deputy Secretary-General for Operations.

Done in the City of Manila, this 22nd day of April, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **ALEJANDRO MELCHOR**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 216
REDEFINING THE FUNCTIONS AND ADMINISTRATIVE STATUS OF THE INFRASTRUCTURE
OPERATIONS CENTER CREATED UNDER ADMINISTRATIVE ORDER NO. 113,
SERIES OF 1968.

The Infrastructure Operations Center (IOC) created under Administrative Order No. 113, series of 1968, as amended, shall, in addition to serving as the operations staff for the Executive Committee for Infrastructure Programs (ECIP), service other government agencies under the Office of the President involved in infrastructure program implementation and coordination like the Presidential Economic Staff and the Philippine Transport Survey Group, on matters pertinent to the formulation and implementation of national infrastructure programs and projects.

As the staff arm of the ECIP, the IOC shall be accountable operationally to the ECIP. However, as an agency created by and belonging to the Office of the President, the IOC shall be directly under the administrative control of the Office of the President and all administrative actions required for its operations and maintenance as would normally require authorization by a department head such as appointments, assignments or details to IOC, designation of key officials, and special budget authorizations, shall be subject to the approval of the Office of the President.

The IOC shall, in addition to the personnel designated under Administrative Order No. 113, series of 1968, have such personnel as may be assigned or detailed thereto from the various departments, bureaus, offices and instrumentalities of the government and such other personnel appointed therein as may be needed for the performance of its functions. All positions in the Center are hereby declared to be highly technical and/or primarily confidential in nature.

The Chief Operations Office designated under Administrative Order No. 113 is hereby redesignated as Executive Director, IOC. The Executive Director shall be responsible to the ECIP for the operations of the IOC and to the Office of the President for its administration.

Administrative Order No. 113, series of 1968, as amended, is hereby amended accordingly.

This Order shall take effect immediately.

Done in the City of Manila, this 27th day of April, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 217
CREATING A COMMITTEE TO STUDY THE COMPUTERIZATION OF BUDGETARY AND
FINANCIAL REPORTS.

WHEREAS, the submission to the budget and planning agencies of up-to-date and accurate budgetary and financial reports is highly desired;

WHEREAS, an effective program of computerization of budgetary and fiscal reporting activities has to be evolved in order to achieve the aforementioned goal;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a committee to study and evolve a program for the computerization of budgetary and financial reports, composed of the following:

A representative of the PES-DND Computer Center	- Chairman
A representative of the Budget Commission	- Member
A representative of the Department of Finance	- Member
A representative of the Central Bank	- Member
A representative of the Presidential Economic Staff	- Member

The PES-DND Computer Center shall act as the Secretariat of the Committee.

The Committee is hereby authorized to obtain from any agency of the government such pertinent information and assistance as may be necessary to effectuate the purposes of this Order.

The Committee shall submit its report and recommendation to the President within 60 days from the date of this Order.

Done in the City of Manila, this 14th day of May, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 218
REQUIRING THE INSTITUTION OF AN OPERATIONAL CASH BUDGET TO SUPPLEMENT
THE PRESENT BUDGET SYSTEM BASED ON OBLIGATION.

In order to ensure the availability of cash resources for priority development projects and at the same time to establish a better rationale for recommending the level, type and timing of public borrowing, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby promulgate the following rules and regulations governing the institution of an operational cash budget to supplement the present budget system:

1. The Treasurer of the Philippines shall prepare a monthly estimate of cash inflow into the Treasury indicating probable sources and funds to which they accrue and shall submit such estimates at least 20 days before the beginning of each quarter to the Budget Commission;
2. In submitting the financial work plan and request for allotment to the Budget Commission, every agency shall indicate therein the cash requirements of the agency during the corresponding quarter, broken down into weekly schedule of required cash disbursements;
3. The Budget Commission shall carefully review the monthly and weekly cash disbursement requirements of the agencies to properly relate such total cash disbursement requirements with the estimated total cash inflow in the Treasury. In the same manner and in the same document that the Budget Commission releases the advice of allotment to any agency for the purpose of establishing the obligational authority of the agency, the Budget Commission shall release to the same agency its authorized cash disbursement ceiling for the corresponding quarter, broken down into weekly basis, furnishing the resident representative of the Auditor General a copy of the advice of allotment which it has released to any agency to the Treasury. Cash disbursements of agencies shall be limited as to amount and shall be timed as prescribed in the cash disbursement ceiling authorized by the Budget Commission;
4. The representative of the Auditor General shall not countersign any treasury warrant, check of expense voucher if the disbursement contemplated therein will exceed the cash disbursement ceiling authorized and outside the time schedule for such disbursements;
5. The Budget Commissioner shall submit to the Presidential Developmental Budget Committee the Cash Budget to enable the Committee to make adjustments therein if necessary and to recommend borrowings to cover projected cash deficiencies if such eventualities are expected to occur.

Done in the City of Manila, this 14th day of May, in the year of our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 219
CREATING THE CITIZENS' COMMITTEE ON ORDER AND JUSTICE.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the Citizens' Committee on Order and Justice to be the action arm in the Greater Manila area of the Peace and Order Coordinating Council, composed of the following:

Solicitor General Felix Q. Antonio	-	Chairman
Mr. Pedro E. Teodoro (Business Group)	-	Vice-Chairman
Mr. Serafin P. Fausto (NBI Deputy Director)	-	Executive Secretary
Msgr. Benjamin Etruiste (Catholic Bishops' Conference of the Philippines)	-	Treasurer
Dr. Jose A. Yap (National Council of Churches in the Philippines)	-	Member
Atty. Josefina P. Ambrosio (Civic Assembly of Women of the Philippines)	-	Member
Mrs. Concepcion C. Martelino (National Federation of Women's Club of the Philippines)	-	Member
Mr. Jose M. Barredo, Sr., (Rotary)	-	Member
Mr. Domingo Duarte (Philippine Jaycees)	-	Member
Mr. Jose Yulo, Jr. (Business Group)	-	Member
Mr. Teodoro Valencia (News Media)	-	Member
Mr. Gelacio Techian (News Media)	-	Member
Mr. Rod Reyes (News Media)	-	Member
Mr. Juanario Jison (Radio and Television Media)	-	Member
Rev. Fr. Francisco Tantoco, Jr. (Knights of Columbus)	-	Member
Mr. Lito Abelarde (Youth and Student Group)	-	Member
Dr. Lorenzo Cesar (Asst. Director, Bureau of Public Schools)	-	Member

The Committee herein created is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the discharge of its functions and solicit from the public and conduct such shows or programs to carry out its activities.

Done in the City of Manila, this 15th day of May, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 220
CREATING A STUDY AND COORDINATING COMMITTEE ON THE MANILA BAY ROAD PROJECT.

In view of the magnitude of the Manila Bay Road Project and of the need to study thoroughly its many aspects to better implement the same and coordinate the efforts of the various government offices and agencies which would be involved in the carrying out of the Project, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to undertake a feasibility study and coordinate the activities and efforts of the various offices and agencies of the government which would be affected and/or involved in the Project.

The Committee shall be composed of the following members:

Hon. Manuel B. Syquiao, Secretary of Public Works and Communications	-----	Chairman
Hon. Cesar Virata, Secretary of Finance	-----	Member
Hon. Placido L. Mapa, Jr.	-----	Member

The Committee shall be assisted by a Technical Panel which shall be headed by the Deputy Director General for Operations of the Presidential Economic Staff as Chairman and composed of representatives, to be designated by the respective heads of offices concerned, from the following offices, namely, Department of Public Works and Communications, Office of the Solicitor General, Department of Justice, Bureau of Public Highways, Bureau of Public Works and the Department of Finance.

When necessary and upon the invitation and advice of the Chairman of the Technical Panel, a representative of the Province and/or Municipality abutting the Manila Bay Area may sit in and attend Committee or Panel meetings.

The Committee shall be charged with the following duties and functions:

1. To study, think up and develop the project proposal in all phases and aspects thereof.
2. To recommend financing for the project.
3. To formulate procedures and undertake all necessary preliminary works prior to actual implementation.
4. To submit bi-monthly progress report on the project.

All Departments, bureau, offices, agencies and instrumentalities of the government including government-owned or controlled corporations and local government instrumentalities are hereby directed to extend assistance to the Committee and Technical Panel, or any of its duly authorized members, whenever such assistance is sought in connection with the work of the Committee or Panel.

Done in the City of Manila, this 9th day of June, in the year of our Lord nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 221

AMENDING ADMINISTRATIVE ORDER NO. 181, DATED OCTOBER 14, 1969, CREATING A
TECHNICAL COMMITTEE TO STUDY THE ESTABLISHMENT OF FREE PORTS.

The Technical Committee created under Administrative Order No. 181, dated October 14, 1969, shall have as additional members a representative each from the Board of Investments and the Central Bank of the Philippines.

The said Technical Committee may also solicit such assistance from the private sector as may be necessary for the attainment of its objectives.

Done in the City of Manila, this 16th day of June, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 222
AMENDING ADMINISTRATIVE ORDER NO. 178 DATED JULY 25, 1969, ENTITLED
“CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF BULACAN AND RIZAL”

The third paragraph of Administrative Order No. 178 dated July 25, 1969, is hereby amended to read as follows:

“The Committee shall complete its work and submit to the President, furnishing the Provincial Boards of the two provinces involved, a report of its findings not later than June 30, 1970.”

Done in the City of Manila, this 16th day of June, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 223

CREATING AN INTER-AGENCY COMMITTEE TO SETTLE LAND DISPUTES IN THE AREAS COVERED BY PROCLAMATION NO. 357 DATED DECEMBER 2, 1952, AS AMENDED BY PROCLAMATION NO. 339 DATED SEPTEMBER 3, 1956, AND EXECUTIVE ORDER NO. 122 DATED DECEMBER 21, 1914.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create an inter-agency committee to settle and adjudicate claims and conflicts involving lands for resettlement purposes situated in Tanay and Montalban, Rizal and in Quezon covered by Proclamation No. 357 dated December 2, 1952, as amended by Proclamation No. 339 dated September 3, 1956, and Executive Order No. 122 dated December 21, 1914, composed of the following:

Representative of the Land Authority
Representative of the Department of Agriculture and Natural Resources
Representative of the Bureau of Lands
Representative of the Bureau of Forestry
Representative of the Commissioner on National Integration.

The Committee shall likewise recommend the possible amendment or consolidation of the aforementioned orders so as to minimize conflicts and expedite titling of the adjudicated areas.

Done in the City of Manila, this 24th day of June, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) PONCIANO G. A. MATHAY
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 224
AMENDING ADMINISTRATIVE ORDER NO. 130, DATED JUNE 18, 1968, ENTITLED
“CREATING THE TELECOMMUNICATIONS DEVELOPMENT BOARD.”

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 130, dated June 18, 1968, entitled “Creating the Telecommunications Board” by including as member thereof a representative of the Board of Investments.

Done in the City of Manila, this 29th day of June, in the year of our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) PONCIANO G. A. MATHAY
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 225
CREATING THE COMMITTEE ON CRIME PREVENTION AND TREATMENT AS AN ACTION
ARM OF THE PEACE AND ORDER COORDINATING COUNCIL.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create the Committee on Crime Prevention and Treatment as an action arm of the Peace and Order Coordinating Council, composed of the following:

Secretary Gregorio M. Feliciano	- Chairman
Dr. Elena Perez Ompoc (DSW)	- Exec. Secretary
Honorable Natividad Almeda-Lopez (Fiendship, Inc.)	- Member
Atty. Paz Inocencio (Board of Pardons and Parole)	- Member
Miss Teresita Silva (DSW)	- Member
Honorable Maria Kalaw Katigbak (GSP)	- Member
Judge Corazon J. Agrava (JDRC of Manila)	- Member
Director Victor Baltazar (DSW)	- Member
Mr Jose G. Burgos, Jr. (Big Brother-Big Sister Movement, Inc.)	- Member
Dr. Pedro Solis (NBI)	- Member
Dr. Roberto Sugang (DSW)	- Member
Atty. Sergio Go (Police Commission)	- Member

The Committee shall have the following functions and objectives:

1. To prepare a realistic and workable national program on crime prevention and treatment.
2. To focus community awareness on the hazards of criminality and get them involved in the prevention and treatment of this social malady.

The Committee is empowered to create such sub-committees as may be necessary to initiate practical preventive and remedial measures to combat criminality.

The Committee is authorized to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the discharge of its functions.

Periodic reports on status of plans and programs/projects shall be submitted to the Secretariat, Peace and Order Coordinating Council.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 226
IN RE ADMINISTRATIVE CASE AGAINST FORMER REGISTER OF DEEDS TIMOTEO D.
AGUSTIN OF TARLAC.

This refers to the administrative case against Mr. Timoteo D. Agustin, since retired as Register of Deeds of Tarlac, for alleged falsification of public documents by enlarging the areas of the lots covered by transfer certificates of title Nos. 42954, 43734 and 43862 as compared to the areas mentioned in the previous titles, namely, transfer certificates of title Nos. 29435, 43106 and 35906, which they respectively replaced. The case was investigated by a committee created by the Land Registration Commissioner which found respondent not guilty of the charge and recommended his exoneration.

The case had remained undisposed of until Mr. Agustin's retirement from the service on January 24, 1965. It appears that payment of his leave credit is being withheld in view of the non-disposition of his case.

A careful review of the records fails to yield any evidence implicating respondent in the acts of falsification. Neither is there any evidence that he had knowledge of or consented to such alterations. On the contrary, clerk-typist Lucio Balmores, despite warnings against risk of self-incrimination, owned the entire blame and declared that respondent never knew of such alterations nor benefited therefrom.

WHEREFORE, Mr. Timoteo D. Agustin is hereby exonerated from this administrative case filed while he was Register of Deeds of Tarlac.

Done in the City of Manila, this 16th day of July, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **ALEJANDRO MELCHOR**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 227
SUSPENDING MR. DESIDERIO CUSTODIO FROM OFFICE AS MUNICIPAL JUDGE OF
MAINIT, SURIGAO DEL NORTE.

This is an administrative case against Municipal Judge Desiderio Custodio of Mainit, Surigao del Norte, for ignorance of the law and oppression, which was investigated by the Executive Judge of the Court of First Instance of Surigao del Norte.

The record reveals that on November 9, 1965, complainant herein, Mrs. Maria M. Soroñgon, was charged before the Municipal Court of Mainit, Surigao del Norte (presided over by respondent), with violation of Section 49 of the Revised Election Code in an information filed by First Assistant Provincial Fiscal Carlo H. Lozada (Exh. "A"). The information was filed in the morning of November 9, 1965, with the respondent and the case was docketed as Case No. 1402. Forthwith, a warrant of arrest was issued (Exh. "B") and a policeman was sent to serve the same upon the person of the accused (herein complainant). However, no actual arrest was effected in view of the refusal of the accused to come along with the arresting officer.

On the same date (Nov. 9, 1965), upon the filing of a bail bond for her provisional liberty (Exh. "E"), an order was issued by respondent for her release from custody (Exh. "C"). In this connection, the findings of the investigating judge contained in his report are to the effect that, after an afterthought by the respondent on the question of jurisdiction of the Municipal Court of Mainit, he ordered the recall, as in fact it was recalled, of the warrant of arrest on the same morning after its unsuccessful service upon the accused, and that the bail bond was accepted and approved by respondent judge because of the alleged insistence of the accused, since the same had already been prepared and "as it would relieve her of the anxiety of being re-arrested or further molested by those people who desired her arrest". The record, however, fails to show whether Mrs. Soroñgon was actually deprived of her right of suffrage by reason of the filing of the complaint.

Respondent in his defense contended that the matter of jurisdiction of the Municipal Court of Mainit over the case of Mrs. Soroñgon for violation of Section 49 of the Revised Election Code is one that requires legal, if not judicial interpretation, especially in the light of the provision of Section 87, paragraph (c), of Republic Act No. 296, as amended, otherwise known as the Judiciary Act of 1948, which increases the jurisdiction of municipal courts to try criminal cases, and the succeeding paragraphs thereto providing, in effect, that municipal judges have also jurisdiction to conduct preliminary investigations for any offense alleged to have been committed within their jurisdictions and cognizable by the Courts of First Instance; thereby confusing respondent municipal judge who failed to arrive at a final determination of the issue of jurisdiction over the case pending before his court.

As regards the charge of oppression for partisan ends, I am inclined to sustain the finding and observation of the Executive Judge that complainant Mrs. Soroñgon has not satisfactorily proved the truth of her allegations and that the failure of complainant to testify in this respect may be taken as a sign of insincerity on her part.

At any rate, in resolving the main charge of ignorance of the law, predicated on respondent's failure to determine and resolve the issue of whether or not his court had jurisdiction over the case filed by Assistant Fiscal Lozada against herein complainant for violation of the Revised Election Code, I find respondent municipal judge no less responsible and guilty than the prosecuting officer, considering that on the basis of the information filed by Fiscal Lozada, respondent issued the corresponding warrant of arrest and approved the bail bond filed by the accused, herein complainant Soroñgon. While the recall of said warrant of arrest by respondent and the fact that herein complainant was never arrested nor detained mitigated the wrong committed, nevertheless the fact remains that if Fiscal Lozada was charged with and later found guilty of ignorance of the law, it is inconceivable as I find no valid reason whatsoever, for respondent judge to be completely absolved from any administrative liability. I cannot entertain as a plausible defense good faith on his part, since the provision of Section 187 of the Revised Election Code is very explicit that "the Court of First Instance shall have exclusive criminal jurisdiction to make criminal investigation, issue the warrant of arrest and try and decide any criminal action or proceeding for violation of this code." And in the same manner that I did not entertain the defense of good faith interposed by Fiscal Lozada in the latter's administrative case, I am not inclined to exonerate subject respondent from any administrative liability based principally on this defense.

In view of the foregoing, Municipal Judge Desiderio Custodio of Mainit, Surigao del Norte, is hereby suspended from office for a period of four (4) months without pay, with a stern warning that commission of the same or similar offense in the future will be dealt with more drastically.

Done in the City of Manila, this 17th day of July, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 228
RECONSTITUTING THE EXECUTIVE COMMITTEE OF THE CENTRAL LUZON
DEVELOPMENT PROGRAM.

Pursuant to the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby reconstitute the Executive Committee of the Central Luzon Development Program to be composed of the following:

- | | |
|---|------------|
| 1. Hon. Jose M. Crisol | - Chairman |
| Undersecretary of National Defense for Home Affairs | |
| 2. Hon. Rosendo R. Marquez | - Member |
| Deputy Presidential Assistant, PACD | |
| 3. Hon. Ernesto Valdez | - Member |
| Deputy Governor, Land Authority | |
| 4. Hon. J. Gualberto Planas | - Member |
| Executive Director, NFAC | |

Done in the City of Manila, this 27th day of July, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 229
AMENDING ADMINISTRATIVE ORDER NO. 215 DATED APRIL 22, 1970, ENTITLED
“CREATING AN EXECUTIVE COMMITTEE FOR THE 21ST COLOMBO PLAN
CONSULTATIVE COMMITTEE MEETING.”

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 215 dated April 22, 1970, entitled “Creating an Executive Committee for the 21st Colombo Plan Consultative Committee Meeting,” by including as members thereof the following officials:

Honorable Troadio T. Quiazon, Jr.
Undersecretary of Industry
Mr. Jose S. Clemente, Jr.
Deputy Commissioner of Tourism
Mrs. Escolastica B. Bince
Deputy Director, Department of Economic Research, Central Bank

Done in the City of Manila, this 27th day of July, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 230
CREATING THE PHILIPPINE NATIONAL COMMITTEE ON FREEDOM FROM HUNGER
CAMPAIGN.

WHEREAS, fully one-half of the world's population is either ill-nourished or underfed;

WHEREAS, to fight this state of malnutrition and undernourishment, the Food and Agriculture Organization (FAO) of the United Nations, of which the Philippines is a member, launched on July 1, 1960, a world-wide Campaign for Freedom from Hunger and invited Member Countries to join in the collective effort to remove the threat of hunger by the establishment of National Committee on Freedom from Hunger Campaign; and

WHEREAS, to give this campaign a wider base on which to operate, it has been deemed necessary to involve people themselves, so that membership to the National Committee should include non-governmental and/or civic organizations and individuals with the government agencies participating actively as consultants;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Philippine National Committee on Freedom from Hunger Campaign which unless otherwise directed, shall continue to function until June 30, 1980. The Committee likewise, shall (1) act as counterpart of the Food and Agriculture Organization of the United Nations' Freedom from Hunger Campaign movement; (2) bring before the people the reality of hunger which confronts all developing countries including the Philippines; (3) stimulate and support nation-wide action program through informational education, cooperative effort and research; (4) mobilize the youth of the country to participate in the world-wide campaign against hunger; and (5) adopt such other measures as will achieve a better understanding of providing adequate food for the present and future population of the world.

The Committee shall be composed of the following:

President, Nutrition Foundation of the Philippines	Chairman
The President, National Federation of Women's Clubs	Member
The President, Junior Chamber of Commerce of the Philippines.....	Member
The Chief Deputy, Knights of Columbus of the Philippines	Member
The President and Managing Director, Operations Brotherhood	Member
The President, Town Hall Philippines.....	Member
The President, Philippine Rural Reconstruction Movement	Member
The Director, Catholic Relief Services-NCWC Philippine Program.....	Member
The President, Inland Fishing Association, Inc.....	Member
The Executive Secretary, National Secretariat of Social Action	Member
The District Governor, Rotary Club International in the Philippines	Member
The President, Philippine Chamber of Agriculture and Natural Resources	Member
The Governor, District No. 301-A, Lions Club International.....	Member

The National Scout Executive, Boy Scouts of the Philippines.....	Member
The National Scout Executive, Girl Scouts of the Philippines	Member
The Chairman, 4-H Clubs Advisory Council of the Philippines	Member
The President, Inter-islands Deep-Sea Fishing Association	Member
The President, Federation of Free Farmers of the Philippines.....	Member
The President, League of Women Voters of the Philippines	Member
The President, Agricultural Broadcasters and Writers Organization.....	Member
The President, George Washington University Alumni Association of the Philippines.....	Member
The Executive Director, Catholic Charities.....	Member
Mrs. Concepcion Martelino	Member
Mr. Lorenzo Bautista.....	Member
Mr. Gregorio Feliciano	Member
Dr. Juan Flavie	Member
Fr. George Willman	Member

The Committee is authorized to accept additional members as may be deemed necessary for the effective functioning of the committee. It shall determine and elect its own officers as are necessary.

The seat of the Secretariat shall be at the Nutrition Foundation of the Philippines, with the NFP Executive Director as concurrent Executive Secretary of the committee.

FUNDING: The committee is empowered to raise funds by voluntary contributions according to law to meet its financial obligations.

The Committee shall render special and annual reports of its activities and accomplishments to the President of the Philippines, furnishing copies thereof to the Director-General of the Food and Agriculture Organization.

This Administrative Order supersedes Administrative Order No. 134 dated September 6, 1965 and the records, property, assets and liabilities of the Committee created thereunder are transferred to the Committee herein created.

This Order shall take effect immediately.

Done in the City of Manila, this 31st day of July, in the Year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **ALEJANDRO MELCHOR**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 231
CREATING A COMMITTEE TO STUDY, FORMULATE AND IMPLEMENT PLANS FOR FLOOD
CONTROL IN GREATER MANILA AREA

Due to the urgency of the need for the study, formulation and implementation of plans for flood control in Greater Manila Area, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby constitute a Committee which shall be charge with the responsibility of finding ways and means of solving the recurrent problem of flood control in the Greater Manila Area. The Committee shall be composed of the following members:

The Secretary of Public Works and Communications-----	Chairman
The Director, Bureau of Public Works -----	Member
The Chairman, Laguna Lake Development Authority -----	Member
The City Mayor, City of Manila -----	Member
The City Mayor, Quezon City-----	Member
The City Mayor, Pasay City -----	Member
The City Mayor, Caloocan City -----	Member
The Municipal Mayor, Makati, Rizal-----	Member
The Municipal Mayor, Parañaque, Rizal -----	Member

The Committee may organize such technical groups as may be necessary to study, formulate and conduct necessary research and survey with the end in view of collating such data and information as basis to enable the Committee to submit its final recommendations.

The Committee is hereby authorized to call upon any department, bureau, office, or agency or instrumentality of the government for such assistance as it may need towards the immediate accomplishment of its work.

The Committee shall submit its initial report to this Office within a period of 15 days from the issuance hereof.

Done in the City of Manila, this 31st day of July, in the year of Our Lord, nineteen hundred and seventy.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 232

MODIFYING ADMINISTRATIVE ORDER NO. 187 DATED NOVEMBER 17, 1969,
CONCERNING MUNICIPAL JUDGE JUAN BAYUGA OF FLORA, APAYAO-KALINGA.

This is a petition by Mr. Juan Bayuga for reconsideration of Administrative Order No. 187 dated November 17, 1969, removing him from office as municipal judge of Flora, Apayao-Kalinga.

After a review of the case, I agree with the findings of the Secretary of Justice that the main charges of oppression and abuse of power against respondent are baseless as borne out by the record that complainants' arrest and subsequent incarceration on June 26, 1966, were effected by virtue of a criminal complaint for grave coercion filed by one PC PFC Eulogio Agcaoili on June 24, 1966, before respondent's court, and that his failure to secure complainants' written consent before trying Criminal Case No. 67 conformably to the provisions of Section 1, Rule 137 of the Revised Rules of Court, should not be counted against him, it appearing that he proceeded with the trial of the case upon written motion of the parties' counsel.

Neither is there proof that respondent is guilty of ignorance of the law for failure to conduct a preliminary investigation on the charge of grave coercion against complainants, considering that the same was tried on the merits over which respondent's court had concurrent jurisdiction with courts of first instance and therefore complainants were not entitled as a matter of right to preliminary investigation. Moreover, the fact that complainants, upon being arraigned, filed their bail bond and entered into trial on December 21, 1966, constituted an implied admission that there was probable cause for arrest and waiver of whatever defects might have attended the proceedings.

However, it can not be denied that respondent erred in entering an annotation in the "Memorandum of Incumbrance" in the duplicate of Original Certificate of Title No. 0-72 and affixing his signature thereon without judicial authority and in imposing on complainants the wrong penalty for the crime of grave coercion. For these light offenses, I agree with the Secretary of Justice that his removal from office is too harsh and that he should be merely suspended for six (6) months without pay, as originally recommended by the Department of Justice, it appearing that he was neither actuated by malice nor bad faith in the first offense and that he was merely guided by his honest appraisal of the provisions of the Revised Penal Code as regards the second.

Wherefore, and upon the recommendation of the Secretary of Justice, Administrative Order No. 187 dated November 17, 1969, is hereby modified in the sense that Mr. Juan Bayuga is considered suspended for six (6) months without pay and he is accordingly hereby reinstated to his former position.

Done in the City of Manila, this 8th day of August, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 233
CREATING A PORT LABOR STUDY COMMISSION

A Commission is hereby created to study labor problems arising out of traditional practices and technological advances in ports and arrastre services and to recommend solutions to these problems, consisting of the following:

Secretary of Labor	- Chairman
Commissioner of Customs	- Chairman
Mr. Vicente Brillantes	- Member
Presidential Economic Staff	
Mr. Ricardo Dantes	- Member
Bureau of Public Works	
One representative each from shipping Companies, Arrastre, Stevedoring and Labor	- Members

The Commission is hereby empowered to create subcommittees to conduct studies for the Commission, or to assist it in the discharge of its functions. It may call upon any department, bureau, office and other instrumentalities of the government for such assistance as it may need in the accomplishment of its mission.

The Commission shall submit its recommendations to the President from time to time.

Done in the City of Manila, this 10th day of August, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). [Administrative Order Nos.: 200 - 263]. Manila: Malacañang Records Office.

MALACAÑANG

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 234

AMENDING ADMINISTRATIVE ORDER NO. 202 DATED JANUARY 29, 1970, ENTITLED
“CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT
BOUNDARY LINE BETWEEN THE PROVINCES OF PANGASINAN AND TARLAC”

The third paragraph of Administrative Order No. 202 dated January 29, 1970, is hereby amended to read as follows:

“The Committee shall complete its work and submit to the President, furnishing the Provincial Boards of the two provinces involved, a report of its findings not later than October 29, 1970.”

Done in the City of Manila, this 25th day of August, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 235
PROHIBITING THE WOUNDING, TAKING, SELLING, EXCHANGING AND/OR EXPORTING,
POSSESSING AND KILLING OF THE PITHECOPHAGA JEFFERYI, COMMONLY KNOWN AS
MONKEY-EATING EAGLE.

WHEREAS, the *Pithecophaga jefferyi*, commonly known as Monkey-eating Eagle, is a rare indigenous species found only in the Philippines;

WHEREAS, the Monkey-eating Eagle is fast vanishing from its known habitats in the wilderness of north-eastern Luzon and in the Island of Mindanao;

WHEREAS, this rare species of Philippine eagle is part and parcel of our country's heritage and its preservation is a matter of national concern;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby prohibit the wounding, taking, selling, exchanging and/or exporting, possessing and killing of the *Pithecophaga jefferyi*, commonly known as Monkey-eating Eagle.

Any person found violating this Order shall be punished in accordance with the provisions of Act No. 2590, as amended.

Done in the City of Manila, this 25th day of August, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 236
REVOKING ADMINISTRATIVE ORDER NO. 34-A, SERIES OF 1967 AND ADMINISTRATIVE
ORDER NO. 49, SERIES OF 1967.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby revoke Administrative Order No. 34-A, creating a Committee to take charge of the bidding and award, and/or enter into negotiated contracts, for the procurement of fertilizers and other agricultural chemicals on behalf of the government and government-owned or controlled corporations, and Administrative Order No. 49, creating a Committee to take charge of the bidding and awards of irrigation pumps for the Irrigation Service Unit.

Done in the City of Manila, this 25th day of August, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 237

AMENDING ADMINISTRATIVE ORDER NO. 201 DATED JANUARY 29, 1970, CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND CORRECT BOUNDARY LINE BETWEEN THE PROVINCE OF CAGAYAN ON THE ONE HAND AND THE PROVINCES OF ISABELA, KALINGA-APAYAO AND ILOCOS NORTE ON THE OTHER.

Administrative Order No. 201 dated January 29, 1970, which created a technical committee to determine the true and correct boundary between the Province of Cagayan, on one hand, and the Provinces of Isabela, Kalinga-Apayao and Ilocos Norte, on the other, is hereby amended by extending up to October 31, 1970, the period within which the committee shall submit its report.

Done in the City of Manila, this 14th day of September, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 238
AMENDING ADMINISTRATIVE ORDER NO. 231 CREATING A COMMITTEE TO STUDY,
FORMULATE AND IMPLEMENT PLANS FOR FLOOD CONTROL IN GREATER MANILA
AREA.

Administrative Order No. 231 creating a Committee to study, formulate and implement plans for flood control in Greater Manila Area, is hereby amended so as to include the Municipal Mayors of San Juan and Mandaluyong, both of the Province of Rizal, as Members of the said Committee.

Done in the City of Manila, this 14th day of September, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 239
AMENDING ADMINISTRATIVE ORDER NO. 228 DATED JULY 27, 1970.

Administrative Order No. 228 dated July 27, 1970 reconstituting the Executive Committee of the Central Luzon Development Program, is hereby amended so as to include Mr. Silvestre Sarmiento, Acting Chief of the Budget Operations Service, Budget Commission, as additional member of the said Committee.

Done in the City of Manila, this 18th day of September, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 240
CREATING A COMMITTEE TO STUDY THE FINANCING SCHEME FOR NATIONWIDE
RIVER CONTROL AND REFORESTATION PROJECTS.

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby create a Committee which shall study the financing scheme for nationwide river control and reforestation projects, composed of the following:

The Secretary of Public Works and Communications.....	Chairman
The Secretary of Agriculture and Natural Resources.....	Member
The General Manager, National Power Corporation	Member
The Administrator, National Irrigation Administration.....	Member
The Dean, UP College of Forestry	Member

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need towards the immediate accomplishment of its work. The Committee may organize such technical groups or sub-committees as may be necessary to assist it in its function.

The Committee shall submit to this Office its progress report with appropriate recommendations as soon as possible.

Done in the City of Manila, this 18th day of September, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 241

AMENDING ADMINISTRATIVE ORDER NO. 132 DATED JULY 19, 1968, ENTITLED
“CREATING THE INTER-AGENCY COMMITTEE FOR THE ADMINISTRATION OF
AGRICULTURAL COMMODITIES AGREEMENTS.”

The Inter-Agency Committee for the Administration of Agricultural Commodities Agreements, created under Administrative Order No. 132 dated July 19, 1968, shall hereafter be known as the Reporting Committee for the Agricultural Commodities Agreements and is constituted as follows:

Bienvenido Villavicencio, National Economic Council.....	Chairman
Tito Mijares, Bureau of the Census and Statistics.....	Member
Sergio Barrera, Department of Foreign Affairs	Member
Angel Abaya, Presidential Economic Staff	Member
Angelina Tiangco, Central Bank.....	Member
Alice Reyes, Development Bank of the Philippines.....	Member

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 242

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 215 DATED APRIL 22, 1970,
AS AMENDED, ENTITLED “CREATING AN EXECUTIVE COMMITTEE FOR THE 21ST
COLOMBO PLAN CONSULTATIVE COMMITTEE MEETING.”

I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby further amend Administrative Order No. 215 dated April 22, 1970, as amended, entitled “Creating an Executive Committee for the 21st Colombo Plan Consultative Committee Meeting,” by designating Mr. NICANOR Y. FUENTES, Executive Director, National Economic Council, as member thereof to replace Mr. Rizalino R. Pablo who has retired from the service.

Done in the City of Manila, this 2nd day of October, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 243
AMENDING ADMINISTRATIVE ORDER NO. 230 DATED JULY 31, 1970, ENTITLED
“CREATING THE PHILIPPINE NATIONAL COMMITTEE ON FREEDOM FROM
HUNGER CAMPAIGN”

Administrative Order No. 230 dated July 31, 1970, creating the Philippine National Committee on Freedom from Hunger Campaign is amended so as

- 1) to include the President, Junior Chamber of Commerce of the Philippines, as additional member;
- 2) to designate the President, Nutrition Foundation of the Philippines, as member, not as chairman, and to allow the committee to choose and elect its own officers for one year terms; and
- 3) to authorize the committee to create such sub-committees and admit such additional members as it may deem necessary for the accomplishment of its mission.

Done in the City of Manila, this 12th day of October, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 244
CREATING A SPECIAL BIDDING AND AWARDS COMMITTEE TO PROCESS AND EVALUATE
ALL BID PROPOSALS IN CONNECTION WITH THE IMPLEMENTATION OF THE
PHILIPPINE-JAPAN HIGHWAY LOAN PROJECT.

To insure an effective and coordinated implementation of the Philippine-Japan Highway Loan (PJHL) Project, there is hereby created a Special Bidding and Awards Committee for the purpose of processing and evaluating all bid proposals and contract documents submitted in connection with the prosecution of the PJHL project, composed of the following:

Representative of the Director General, PES -----	Chairman
Representative of the Secretary, DPWC -----	Member
Representative of the Commissioner of Public Highways -----	Member

All bid proposals for the implementation of the Philippine-Japan Highway Loan Project now under process or evaluation by existing bidding committees in the Department of Public Works and Communications, Bureau of Public Highways or the Presidential Economic Staff are automatically transferred to the jurisdiction of this Bidding Committee, which shall process and evaluate same in accordance with existing laws or rules on the matter.

Done in the City of Manila this 13th day of October, in the year of Our Lord, Nineteen Hundred and Seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 245

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 178 DATED JULY 25, 1969,
ENTITLED “CREATING A TECHNICAL COMMITTEE TO DETERMINE THE TRUE AND
CORRECT BOUNDARY LINE BETWEEN THE PROVINCES OF BULACAN AND RIZAL.”

The third paragraph of Administrative Order No. 178 dated July 25, 1969, is hereby further amended to read as follows:

“The Committee shall complete its work and submit to the President,
furnishing the Provincial Boards of the two provinces involved, a report of its
findings not later than December 31, 1970.”

Done in the City of Manila, this 21st day of October, in the year of Our Lord, nineteen hundred
and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila:
Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 246
CREATING A COMMITTEE TO STUDY AND SUBMIT RECOMMENDATIONS ON
MANGROVE (BAKAWAN) UTILIZATION AND EXPORTATION.

WHEREAS, mangrove (bakawan) is an export product that earned for the country over \$1 million last year;

WHEREAS, bakawan is also used domestically as charcoal in local industries, bakeries and homes;

WHEREAS, there are conflicting claims between bakawan exporters and charcoal manufacturers on the available supply of bakawan, which has led to the banning of bakawan exportation and consequent loss of dollar earnings for the country; and

WHEREAS, there is need to resolve the conflicting claims;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to study and submit recommendations on mangrove (bakawan) utilization and exportation composed of:

Chairman, National Export Coordinating Center	Chairman
Director, Bureau of Forestry	Member
Administrator, National Cottage Industries Development Authority	Member
Director, Bureau of Commerce	Member
Representative, Department of Agriculture and Natural Resources	Member

The Committee shall start work immediately and shall render a report to the President as soon as possible.

Done in the City of Manila, this 29th day of October, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 247
EXONERATING MR. SANTOS B. RASALAN, DEPUTY COMMISSIONER, PHILIPPINE
FISHERIES COMMISSION.

This is an administrative case against Mr. Santos B. Rasalan, Deputy Commissioner, Philippine Fisheries Commission, filed by the president of the Inter-Island Deep Sea Fishing Association, Inc. The complaint charges:

1. That one Arsenio Rasalan, son of respondent, and a certain Willie Quetulio interceded in behalf of a group of fishing boat operators known as the Ignacio Brothers and Mrs. Purificacion Yambao for the dismissal of the fishery cases pending against them before the said Fisheries Commission;
2. That ₱40,000 was allegedly given by the Ignacio Brothers and Mrs. Purificacion Yambao to Willie Quetulio in consideration for the dismissal of said cases;
3. That another son of respondent was given a Toyota de Luxe car as gift by the Ignacio Brothers;
4. That in consideration for not getting samples of dynamited fishes, from ₱2 to ₱5 per “bañera” was collected by certain officers of the Fisheries Commission;
5. That respondent failed to implement the provisions of Republic Act 428, as amended by Republic Act 1535, requiring on-the-spot examination of fish samples wherever they may found;
6. That sampling teams were re-organized and replaced with Ilocano friends of respondent;
7. That sampling teams did not take samples of the fishes known as “dalagang bukid” caught in big quantities, and instead took samples of fishes caught by trawlers; and
8. That 2,200 tons of dynamited fishes were landed between August and September 1966 in Navotas fish market alone.

A committee, headed by the Undersecretary for Natural Resources, was formed by the Vice-President and concurrently Secretary of Agriculture and Natural Resources, to investigate the above charges, and in its report, the committee unanimously recommended the dismissal of all the charges for insufficiency of evidence. After going over the records of the case, I concur in the findings and recommendation of the investigating committee.

The records do not reveal any direct and categorical statement nor directive of respondent ordering the prosecutors, Benito Q. Bengzon, Jesus de la Torre and Amado Maclan, Jr., to dismiss the cases against the Ignacio Brothers and Mrs. Purificacion Yambao. As a matter of fact, these cases were never dismissed and are still pending. The burden of the case against respondent rests and centers on the alleged statement of respondent, “A sigue . . . bahala ka na nga Bengzon,” addressed to Benito Bengzon in the presence of Willie Quetulio. Such statement, at most, appears ambiguous and subject to various interpretations -- favorable or otherwise to respondent, and in the absence of positive proof that respondent meant that the cases against the Ignacio Brothers and Purificacion Yambao should be dismissed, the doubt should at least be resolved in his favor. Granting *arguendo* that such a statement was uttered by respondent, it could well have meant that Bengzon should act on the cases in accordance with law.

On the second charge that ₱40,000 was given by the Ignacio Brothers and Yambao to the alleged intercessor, Willie Quetulio, through one Aristede Ignacio, for the dismissal of the cases against them, the sole evidence to support the same is the interpretation of Amado Maclan Jr. that the giver, Ignacio, impliedly admitted having given the money. This is, however, denied by Ignacio himself in an affidavit submitted to the investigating committee.

Relative to the third charge that another son of respondent was given a car as a gift by the Ignacio Brothers, there is no evidence whatsoever that said car was purchased and paid for by said brothers. Rather, the sales invoice bears the name of Virgilio Rasalan as purchaser, who as an architect could afford to buy the same.

The fourth charge alleges that in consideration for not getting samples of dynamited fish, from ₱2 to ₱5 per “bañera” was collected by certain officials of the Philippine Fisheries Commission. However, complainant’s legal counsel himself stated that there are no available witnesses to testify to this effect. Consequently, no evidence to prove this charge was presented.

The fifth charge concerns the alleged failure of respondent to implement the provisions of Republic Act No. 428, as amended, requiring on-the-spot examination of fish samples. The evidence shows that there are now four sampling teams and fish checkers. Each of these teams is assigned on an 8-hour rotation shift at the fish landing in Navotas, Malabon, Pier 14 and along the Pasig River.

The reorganization or reshuffling of sampling teams and the alleged replacement of the members thereof with Ilocano friends of respondent, even if true, is within the official prerogative of respondent. At any rate, the reshuffling is intended to avoid intimacy between the members of the sampling teams and fish operators.

With respect to the charge that the sampling teams did not take samples of fish known as “dalagang bukid” caught in big quantities, and instead took samples of fish caught by trawlers, no evidence whatsoever was presented to substantiate the same.

Finally, as to the charge that 2,200 tons of dynamited fish were landed between August and September 1966 in Navotas, Rizal, it may be observed that complainant’s evidence on the matter is again insufficient to sustain the charge. There is a total lack of evidence that samples of fish were subject to laboratory examinations. Significantly, complainant’s witness on this point admitted that he did not know the difference between a fish caught by explosives and that caught by other methods. He was never a witness to any laboratory examination of samples of fish allegedly caught by explosives.

Wherefore, and as recommended, the charges against Mr. Santos B. Rasalan, Deputy Commissioner, Philippine Fisheries Commission, are hereby dropped and he is accordingly exonerated therefrom.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 248

**REMOVING MR. PEDRO R. RABAGO FROM OFFICE AS MUNICIPAL JUDGE OF CAGWAIT,
SURIGAO DEL SUR.**

This case stemmed from a telegram-complaint of Clenio Ondona against Municipal Judge Pedro R. Rabago of Cagwait, Surigao del Sur, charging him with political harassment and persecution. The case was investigated by District Judge Ricardo D. Garcia of the Court of First Instance of Surigao del Sur who, after respondent failed to appear at the formal investigation despite summons and instead submitted his written explanation, found the charges substantiated without, however, recommending the specific penalty to be imposed.

It appears that in Special Proceedings No. 49 of the Court of First Instance of Surigao del Sur involving the estate of the deceased Juan Logronio, respondent appeared as counsel for his son-in-law Nicostrato Logronio, an oppositor to the petition for letters of administration filed by the widow. Logronio's opposition was founded on his claim that some of the properties listed in said petition belonged to him.

As a consequence of the acts of complainant Ondona, the administrator of the property of the deceased, as well as the heirs and their laborers in harvesting coconuts from the disputed land, Logronio filed with the Municipal Court of Cagwait, Surigao del Sur, presided by respondent, Criminal Cases Nos. 511 (for frustrated robbery in band) and 512 (for qualified theft) against complainant and several others, and Criminal Case No. 514 (for qualified theft) against the heirs and their laborers.

Respondent conducted the first stage of the preliminary investigation of Criminal Cases Nos. 512 and 514 and thereafter issued warrants of arrest against the accused who posted bail for their provisional release. Later, however, and upon the approval of the District Judge, respondent desisted from further acting on said cases because of his relationship to Nicostrato Logronio.

One important issue in the aforementioned special proceedings before the Court of First Instance of Surigao del Sur involved the ownership of the land wherein the coconuts, subject matter of the criminal complaint for qualified theft, were taken. Logronio claims ownership of the land as against a similar claim by the decedent's estate. If the latter claim is eventually sustained, the accused who gathered the coconuts in behalf of the estate could not be held guilty of theft because of lack of intent to gain. Under the circumstances, respondent should have refrained from giving due course to the complaint of his son-in-law, as his actuations could be construed, as they were, to be coercive and oppressive against the accused. Respondent not merely gave due course to his son-in-law's complaint but, worse, he issued warrants for the arrest of the accused, prompting the Investigating Judge to remark that the latter's "actuations were very drastic and arbitrarily inspired by no other motive than to protect the interest of his son-in-law."

Evidently, respondent cannot validly plead ignorance of the circumstances antecedent to and surrounding the filing of these criminal cases, considering that he is the father-in-law and legal counsel of Nicostrato Logronio in Special Proceedings No. 49. In conducting the first stage of the preliminary investigation and issuing warrants of arrest against the accused in Criminal Cases Nos. 512 and 514,

respondent judge was obviously actuated with improper and vengeful motives. He used the powers of his office not to apply the law with an even hand but to oppress the opponents of his son-in-law and former client. Respondent's actuations clearly show that he is guilty of gross abuse of the powers of his office constituting serious misconduct and that he is unfit to remain in the judicial branch of the Government.

Wherefore, and as recommended by the Secretary of Justice, Mr. Pedro R. Rabago is hereby removed from office as municipal judge of Cagwait, Surigao del Sur, effective upon receipt of a copy of this order.

Done in the City of Manila, this 17th day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 249
MODIFYING ADMINISTRATIVE ORDER NO. 153 DATED DECEMBER 16, 1968,
CONCERNING JUDGE GAUDENCIO CLORIBEL OF THE COURT OF FIRST INSTANCE
OF MANILA.

After considering the representations in the petition for reconsideration filed by and in behalf of Judge Gaudencio Cloribel of the Court of First Instance of Manila, who was considered resigned from office under Administrative Order No. 153 dated December 16, 1968, the fact that he was separated from the service effective a little over a year and a half before reaching seventy years of age, the services he had rendered the Government in various capacities and the recommendation of the former and the incumbent Secretaries of Justice, I am satisfied that ample reasons exist for tempering the harsh effects of his removal.

Wherefore, and as recommended, Administrative Order No. 153 dated December 16, 1968, is hereby modified in the sense that, instead of being considered resigned, Judge Gaudencio Cloribel is hereby deemed retired as of January 5, 1968, the date of his suspension, without prejudice to his receipt of such benefits as he maybe entitled to under the law.

Done in the City of Manila, this 24th day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

TANGGAPAN NG PANGULO NG PILIPINAS
(OFFICE OF THE PRESIDENT OF THE PHILIPPINES)

ADMINISTRATIVE ORDER NO. 250
AMENDING ADMINISTRATIVE ORDER NO. 182 DATED OCTOBER 31, 1969, AS AMENDED
BY ADMINISTRATIVE ORDER NO. 200 DATED JANUARY 13, 1970, CREATING THE
PRESIDENTIAL COORDINATING COMMITTEE FOR SOCIAL JUSTICE AND AGRARIAN
REFORMS (PCCSJAR)

Under Administrative Order No. 182, as amended by Administrative Order No. 200 dated January 13, 1970, the PCCSJAR is charged with the duty to receive all complaints of the farmers, tenants, leasees, small owners-cultivators and agricultural workers belonging to and/or affiliated with the Federated Movement for Social Justice and Reforms (FMSJR) as well as forward and follow-up such complaints and cases with the proper government offices for immediate and appropriate action.

In the interest of prompt and speedy disposition of all the complaints and cases referred to above, the members of the PCCSJAR are hereby authorized and required, in behalf of their respective departments or agencies, to terminate within thirty (30) days whenever feasible all matters falling within the respective jurisdiction of said departments or agencies in accordance with existing laws, rules or regulations.

Likewise, any department or agency head, including the Executive Secretary, or his duly authorized representative, who is not a member of the PCCSJAR, but to whom cases are referred to for action shall automatically become a member of the PCCSJAR and is also hereby authorized and required to act promptly on all matters falling within the jurisdiction of said department or agency.

The word "Dean" appearing in the fourth paragraph of Administrative Order No. 182, as amended, is hereby deleted so as to insert therein the word "representative" to designate the representation of the U.P. College of Agriculture in the membership of the Committee.

The Committee shall submit to the President every two months status reports on the complaints, grievances and cases received by them.

Done in the City of Manila, this 25th day of November, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 251

DIRECTING THAT NOT MORE THAN TEN CENTAVOS BE CHARGED ANY PRIVATE CITIZEN FOR THE TRANSMITTAL OF COMPLAINTS AND GRIEVANCES TO THE PRESIDENTIAL ACTION COMMITTEE ON LAND PROBLEMS (PACLAP) THROUGH THE FACILITIES OF THE BUREAU OF TELECOMMUNICATIONS, BY MEANS OF WIRE OR TELEGRAPHIC SERVICES.

WHEREAS, to underscore the commitment of the government to the task of providing immediate and meaningful solutions to land problems, the Presidential Action Committee on Land Problems (PACLAP) has been created under Executive Order No. 251, dated July 31, 1970;

WHEREAS, it is recognized that for the PACLAP to be able to accomplish its purposes, easy and inexpensive access to it should be afforded those who may have problems, complaints or grievances to bring to its attention;

WHEREAS, the PACLAP is directly responsible to the President in the discharge of its functions as defined under Executive Order No. 251.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct that the Bureau of Telecommunications make available its facilities to private citizens by transmitting their complaints and grievances to the Presidential Action Committee on Land Problems (PACLAP) or any of its committees or action offices, by means of wire or other telegraphic services, at the minimal cost of ten centavos.

Done in the City of Manila, this 25th day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

RESIDENCE OF THE PRESIDENT
OF THE PHILIPPINES
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 252
AMENDING ADMINISTRATIVE ORDER NO. 240 DATED SEPTEMBER 18, 1970, ENTITLED
“CREATING A COMMITTEE TO STUDY THE FINANCING SCHEME FOR NATIONWIDE
RIVER CONTROL AND REFORESTATION PROJECTS.”

By virtue of the powers vested in me by law, I, FERDINAND E. MARCOS, President of the Philippines, do hereby amend Administrative Order No. 240 dated September 18, 1970, which created a committee to study financing schemes for nationwide river control and reforestation projects, by including the Commissioner, Forest Products Research and Industries Development Commission, as member of said committee.

Done in the City of Manila, this 25th day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 253

CONSIDERING MR. ILDEFONSO P. BROCOY RESIGNED FROM OFFICE AS MUNICIPAL
JUDGE OF PALOMPON, LEYTE.

On August 31, 1967, Mr. Ildefonso P. Brocoy, municipal judge of Palompon, Leyte, filed an application for one (1) year vacation leave under the provisions of the Revised Administrative Code, as amended, from September 1, 1967, to August 31, 1968, for the purpose of accepting a fellowship in Graduate Legal Studies-Master in Comparative Jurisprudence at Howard University, Washington, D.C., U.S.A. The application was approved by the Executive Secretary and the Secretary of Justice upon recommendation of the District Judge.

On July 22, 1968, Judge Brocoy filed another application for extension of his leave of absence from September 1, 1968, to December 31, 1970, to be spent in the United States to enable him to finish a doctorate degree in Jurisprudence and/or a PH.D. in Government, alleging that he had finished his Master's Degree in Comparative Jurisprudence and the furtherance of his study would enhance his potentialities in the government service. Said application was disapproved on grounds of policy by the Department of Justice on July 31, 1968. Despite the denial of his application for an extended leave, he failed to report for duty on September 1, 1968, after the expiration of his one-year leave on August 31, 1968.

However, on May 14, 1969, the Department of Justice approved his application for indefinite study leave but not beyond December 31, 1969, with a warning that he would be considered automatically resigned from the service upon his failure to report for duty after December 31, 1969. This was reiterated by the Department in its letter dated October 13, 1969, which was sent directly to him at 15873 Hartwell, Detroit, Michigan, 48227 U.S.A.

Despite these warnings, Judge Brocoy failed to report for duty after December 31, 1969. He is therefore guilty of abandonment of office and violation of Section 33 of Rule XVI of the Civil Service Law and Rules.

WHEREFORE, Mr. Ildefonso P. Brocoy is hereby considered resigned from office as municipal judge of Palompon, Leyte, effective as of January 1, 1970.

Done in the City of Manila, this 26th day of November, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 254
SUSPENDING MR. BERNABE L. DALAWES FROM OFFICE AS MUNICIPAL JUDGE OF
PROSPERIDAD, AGUSAN.

This case stemmed from the formal recommendation of the District Judge, Court of First Instance of Agusan, for the removal of Mr. Bernabe L. Dalawes as Municipal Judge of Prosperidad, Agusan.

On June 30, 1966, a criminal complaint for homicide, Criminal Case No. 665, was filed in the court presided by respondent who, upon finding from the evidence the existence of a probable cause against the accused, ordered his arrest and fixed the bail bond for his provisional release at ₱8,000. On January 30, 1967, the prosecution moved for the dismissal of the case and thereafter, on February 2, 1967, the respondent issued an order dismissing the case provisionally on a ground not sanctioned by law, and in the same breath directing that all the records be remanded to the Court of First Instance for further dispositive action.

Finding the order of provisional dismissal irregular, the District Judge of Agusan ordered respondent to explain why he should not be dealt with administratively for ignorance of the law and rules on criminal procedure. Respondent adduced a written explanation alleging that the order in question was not intended as a dismissal of the case and that the phrase “provisionally dismissed” was a mere mistake. The District Judge held the explanation as unsatisfactory, and also found that the bail bond fixed by respondent for the provisional release of the accused in said Criminal Case No. 665 was contrary to the provisions of Circular No. 47(a) dated July 6, 1946, of the Department of Justice, and thereupon recommended the removal of respondent from office.

Instead of acting on the recommendation for respondent’s removal, the Secretary of Justice returned the papers to the District Judge with the directive that a formal investigation be conducted so as to confront respondent with the findings of the District Judge and to give him (respondent) a chance to explain his side. Accordingly, a formal investigation was undertaken.

The records disclose that respondent gave due course to the criminal complaint in Criminal Case No. 665 by ordering the arrest of the accused therein. The issuance of the order of arrest implies the existence of a prima facie case against the accused. Based on this circumstance alone, it was erroneous for respondent to order the provisional dismissal of the case.

Invoked as reason for the dismissal of the aforesaid criminal case was that the relative of the deceased had expressed a desire in a sworn statement to have the case dismissed on the ground, among others, that the funeral and other expenses had been shouldered by the accused. Such consideration is neither a legal nor a valid reason for ordering the dismissal of the case. Indeed, in a criminal case the interest of the offended party extends only to the civil and not to the criminal aspect thereof which may be prosecuted de officio.

As regards the bail bond fixed by respondent for the release of the accused in said criminal case, it appears that he had originally fixed the same at ₱8,000 but reduced it to ₱5,000 upon request of the accused. Evidently, respondent failed to observe the provisions of Circular No. 47(a) dated July 6, 1946, of the Department of Justice to the effect that in the fixing of bail bonds for accused in criminal

cases the imposable penalty should be taken into account, which in this case is the medium period of reclusion temporal with a penalty range of from fourteen (14) years, eight (8) months and one (1) day to seventeen (17) years and four (4) months at ₱200 per month and ₱2,000 per year. The bail bond for the release of the accused is way below the amount required under said circular.

This Office, after considering the nature of the irregularities committed and the attendant circumstances, feels that respondent deserves to be suspended from office.

Wherefore, and as recommended by the Secretary of Justice, Mr. Bernabe L. Dalawes is hereby suspended from office as Municipal Judge of Prosperidad, Agusan, for a period of two (2) months without pay, effective upon receipt of a copy of this order. He is also warned to be more careful in his actuations in the future, otherwise he shall be dealt with more drastically.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 255

CONSIDERING MR. ALFREDO CHUATICO RESIGNED FROM OFFICE AS CITY
TREASURER OF BAGO CITY.

This is an administrative case against Mr. Alfredo Chuatico, City Treasurer of Bago City, for grave misconduct in office and dishonesty involving shortage in his cash accountability filed motu proprio by the Department of Finance. The case was formally investigated by City Treasurer Tirso T. Santillan of San Carlos City.

Respondent was preventively suspended from office on September 16, 1969, upon recommendation of the Department of Finance.

The records show that on September 3, 1968, when the Bago City Auditor examined the cash account of the respondent, the latter presented as part thereof BPI check bearing Serial No. C-297525 dated July 13, 1965, in the amount of ₱129,906.62 purportedly issued by the Ma-ao Sugar Central in payment of internal revenue taxes. The City Auditor disallowed the check and declared respondent short in the amount of ₱129,906.62 after verification conducted revealed that the check in question was not issued by the Ma-ao Sugar Central.

It further appears that respondent's shortage in his cash account existed since 1962 in the original amount of ₱132,000 during his incumbency as municipal treasurer of the former municipality of Bago, Negros Occidental. The aforesaid amount was ostensibly lost while he was on his way to deposit the same with the Philippine National Bank (PNB) branch in Bacolod City. He did not, however, report the loss to the proper authorities and instead kept his silence until after the shortage was discovered by the City Auditor on September 3, 1968. On September 27, 1968, respondent restored the whole amount of ₱129,906.62 under Official Receipt No. 3769251.

In the preliminary fact-finding investigation of the instant case, respondent readily admitted the shortage in his cash account. Recounting how the shortage was incurred, he alleged that on July 22, 1962, he wrapped the amount of ₱132,000, all in bills of fifty, twenty, ten and five-peso denominations, in a piece of manila paper with the intention of depositing it with the PNB branch in Bacolod City. The following day (July 23) the money was placed with several other packages at the back of the driver's seat of the government jeep which he drove personally. On his way to Bacolod City and somewhere in the vicinity of Barrio Taloc he had a flat tire. He left the jeep along the road and went to the house of Councilor Florencio Rosquillo, some 200 meters away, to borrow a jack. After replacing the flat tire, he proceeded to Bacolod City and parked the jeep in front of the PNB branch office. He then discovered that the package containing the money was no longer in the jeep. Councilor Rosquillo corroborated respondent's oral testimony relative to the borrowed jack.

I agree with the Secretary of Finance that respondent's testimony is replete with inconsistencies. In the transcript of the proceedings he declared that he stayed in the house of Councilor Rosquillo for about fifteen minutes before returning to the jeep. This was belied by the testimony of the councilor who stated that after giving the jack to the respondent no conversation transpired between them. Perforce, respondent could not have stayed that long in the house of Councilor Rosquillo. Still, in

answer to a question as to whether or not Councilor Rosquillo was a friend, respondent testified that the former was no more than a casual acquaintance. Yet, the records disclose that respondent, at one time, consented to act as co-maker of a loan application of Councilor Rosquillo with the Philippine National Cooperative Bank. Finally, respondent testified that he was alone when he counted and wrapped the money to be deposited with the PNB, which was inconsistent with the statement of witness Manolito Enriquez, a janitor in respondent's office, to the effect that he assisted the respondent in counting the money up to 8:30 in the evening of July 22, 1962.

These glaring inconsistencies all the more make respondent's oral testimony incredible, if not self-serving, to say the least. At this juncture, attention is invited to respondent's long and continuous service in the local treasury since 1932 or for more than thirty-eight (38) years. The wealth of experience behind him surely would have dictated that a most sensitive task involving the custody for deposit of a substantial amount of money should have been accomplished with the greatest caution to ensure its safety at all times. In this respondent has miserably failed. He has thrown all caution to the winds, unmindful of the dire consequences in the event of its loss. Undoubtedly, respondent is no longer a safe risk in the treasury service.

In view of the foregoing, I find respondent guilty of grave misconduct for concealing the loss of the money in question to the proper authorities and of dishonesty for presenting a spurious check to cover up his shortage.

Wherefore, and as recommended by the Secretary of Finance, Mr. Alfredo Chuatico is hereby considered resigned from office as City Treasurer of Bago City, effective on the day following his last day of service with pay.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 256
IMPOSING ON MUNICIPAL JUDGE PLACIDO RANAY OF PILAR, BOHOL, A FINE
EQUIVALENT TO ONE MONTH'S PAY.

This is an administrative case initiated by Justo C. Boiser Sr., Pastor C. Boiser, Macario Morata, Maximino Boiser Jr. and Bonifacia B. Salumbides, charging respondent Municipal Judge Placido Ranay of Pilar, Bohol, with having tried and decided on the merits Criminal Cases Nos. 75, 76, 77, 78 and 80 (for estafa through falsification of public documents) and acquitting the accused therein. The case was investigated by the Executive Judge of Bohol.

Respondent explained that his decision should be construed as a resolution dismissing the cases for failure of the complaining witnesses (complainants herein) to establish a prima facie case in the second stage of the preliminary investigation. The record, however, yields admissions by respondent that a decision was by him rendered in said cases in the belief that the municipal court had jurisdiction over the crime of estafa through falsification of public documents. Worse, during the investigation, respondent insisted that the hearing he conducted "was on the merits" (pp. 8, 36, 37 and 39, t. s. n., Cadiz).

The crime of estafa through falsification of public documents is punishable with prision correccional in its medium and maximum periods and a fine of not more than ₱5,000 (Art. 48 in conjunction with Articles 172 and 316 of the Revised Penal Code). The concurrent jurisdiction of inferior courts (other than the municipal courts of provincial capitals and city courts) with the courts of first instance is confined only to crimes punished with imprisonment for not more than 3 years or a fine of not more than ₱3,000 or both such fine and imprisonment (Sec. 87 of Republic Act No. 296, as amended by Republic Act No. 3828).

The foregoing facts show that respondent is clearly guilty of ignorance of the law. He should have known the extent of his jurisdiction by a mere reading of the law on the matter. Moreover, on February 24, 1967, respondent entrusted to a private party the record of the aforesaid criminal cases for transmission to the provincial fiscal after the rendition of his decision on January 31, 1967, and not to the clerk of the Court of First Instance as decreed by Section 12, Rule 112 of the Rules of Court. The provincial fiscal had to request for the records of the aforementioned cases which were not delivered to him until March 7, 1967.

Wherefore, and as recommended by the Secretary of Justice, the respondent is hereby fined in an amount equivalent to one (1) month's salary. He is further warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) PONCIANO G. A. MATHAY

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 257

MODIFYING ADMINISTRATIVE ORDER NO. 186 DATED NOVEMBER 13, 1969,
CONCERNING CITY JUDGE SANTIAGO CATANE OF OZAMIZ CITY.

Upon petition for reconsideration filed by City Judge Santiago Catane of Ozamiz City who was suspended from office for a period of three (3) months under Administrative Order No. 186 dated November 13, 1969, and after a restudy of the facts and circumstances of the case, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 186 dated November 13, 1969, by reducing to one (1) month without pay the suspension imposed on him.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1970). [*Administrative Order Nos.: 200 - 263*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 258

IN RE: ATTY. NEMESIO F. GANAN SR., FORMER JUSTICE OF THE PEACE OF BADAJOZ,
DESPUJOLS AND ODIONGAN, ROMBLON.

This is a petition by Atty. Nemesio F. Ganan Sr. for reconsideration of the decision rendered by this Office under Administrative Order No. 245 dated December 23, 1953, removing him from office as Justice of the Peace of Badajoz, Despujols and Odiongan, Romblon, effective on receipt of the decision on February 3, 1954.

After a review of the case, this Office agrees with the Department of Justice that there is no sufficient justification for reconsidering respondent's separation from the service. However, considering that the arbitrary detention committed by respondent, which resulted in his removal, took place barely five days after his appointment as justice of the peace; that the detention of the offended party in jail for twenty-five minutes was brought about by herself when she uttered derogatory remarks and raised her voice, thereby causing disturbance in his court; and that the inconvenience suffered by the offended party was too insignificant in comparison with the drastic action taken against respondent, it is believed that the harsh effects of his separation may now be softened.

Wherefore, and upon the recommendation of the Department of Justice, Administrative Order No. 245 dated December 23, 1953, is hereby modified by considering Atty. Nemesio F. Ganan Sr. as having resigned from office effective February 3, 1954, without prejudice to the payment to him of the money value of his accumulated leaves and/or retirement benefits, if any, he may be entitled to under the law.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) **FERDINAND E. MARCOS**

By the President:
(Sgd.) **ALEJANDRO MELCHOR**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 259
IMPOSING ON MUNICIPAL JUDGE FELIX M. CARIÑO OF TAYUM, ABRA, A FINE
EQUIVALENT TO TWO (2) MONTHS' PAY.

This is an administrative case against Municipal Judge Felix M. Cariño of Tayum, Abra, filed by the spouses Gaspar and Caridad T. Bilan and investigated by District Judge Juan P. Aquino. The charges are:

1. That in Criminal Case No. 259, wherein the accused is respondent's nephew, respondent failed to order his arrest, delayed the hearing and failed to inhibit himself;
2. That respondent certified in his application for leave of absence that all cases and motions submitted to him for decision and resolution were decided within ninety (90) days, although many cases had been pending trial in his court for years;
3. That respondent unduly delayed the disposition of Criminal Case No. 112 wherein complainant Gaspar T. Bilan is the offended party;
4. That Criminal Cases Nos. 244 and 245 were remanded to the Court of First Instance much later than Criminal Case No. 246, as noted in a decision of that Court, because of respondent's relationship to the offended party in the latter case;
5. That respondent unduly delayed the disposition of Criminal Cases Nos. 210, 223, 224, 225, 243 and 253; and
6. That respondent unnecessarily inhibited himself in Criminal Cases Nos. 137 and 293 and Civil Case No. 19.

These charges were denied by respondent as follows:

1. That he issued a warrant for the arrest of the accused in Criminal Case No. 259; that the delay in hearing the case was due to attempts to settle the case amicably between the parties; and that he is not related to the accused within the sixth degree;
2. That the certificate refers only to cases submitted for decision and not to cases pending trial.
3. That Criminal Case No. 112 which was filed on November 29, 1956, was dismissed upon motion of Gaspar Bilan on December 10, 1957;
4. That Criminal Case No. 246 was remanded earlier because the accused was detained, while in Criminal Cases Nos. 244 and 245 the accused were released on bail;
5. That in Criminal Case No. 210 the delay was due to the failure to serve subpoena on the prosecution witness; that in Criminal Cases Nos. 223, 224 and 225 the delay was due to efforts to effect an amicable settlement; that in Criminal Case No. 243 the delay was due to the failure to arrest one of the accused; and that in Criminal Case No. 253 the delay was due to the failure to serve subpoena on the prosecution witness; and

6. That in Criminal Case No. 137 respondent inhibited himself with the approval of the District Judge because the parents of the offended party, a minor, were his second cousins; that in Criminal Case No. 293 he inhibited himself with the approval of the District Judge because the accused was his second cousin; and that in Civil Case No. 19 he inhibited himself because of his relationship to the parties within the sixth degree.

I agree with the investigating District Judge that respondent has satisfactorily explained his actuations as referred to in the various charges, with the exception of that of unduly delaying the disposition of criminal cases. In Criminal Case No. 210 for illegal possession of firearms, respondent admits that, although it was filed in 1963, he first set the case for trial on July 23, 1968. His explanation that he was trying to locate the address of the constabulary soldiers who were the witnesses for the prosecution cannot be given credence because he failed to show that he coursed the subpoena through the constabulary command.

Respondent likewise admits that he set Criminal Cases Nos. 223, 224 and 225 for trial five years after they were filed, explaining that he gave the parties time to settle these related cases amicably. In Criminal Case No. 243, which was filed in January 1966, he claimed that he failed to set the case for trial because, although three of the four accused were already in custody, he was waiting for the arrest of the fourth accused. As pointed out by the investigating Judge, he failed to justify the delay in promptly setting the cases for trial.

Again, Criminal Case No. 253 for illegal possession of firearms was filed on June 30, 1966, but was first set for hearing only on July 17, 1967, because, according to respondent, he was trying to locate the address of the constabulary sergeant who was transferred after filing the case. Finally, in Criminal Case No. 259, wherein complainant Caridad T. Bilan was the offended party, the accused was released on bail on November 11, 1966, and it was only on August 28, 1968, that the case was set for trial, respondent's explanation being that he gave the parties time to settle the case amicably.

In the light of the evidence, the District Judge-Investigator correctly found respondent guilty of "neglecting and delaying his cases for an unreasonable period of time without malice." Accordingly, and as recommended by the Secretary of Justice, respondent Municipal Judge Felix M. Cariño is hereby fined in an amount equivalent to two (2) months' pay. He is also warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and seventy.

(Sgd.) FERDINAND E. MARCOS

By the President:
(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1970). *[Administrative Order Nos.: 200 - 263]*. Manila: Malacañang Records Office.



Descending a ladder beneath a mast, President Ferdinand E. Marcos tours RPS Quezon which was acquired by the Philippines from the United States under the Military Assistance Program.

